BILINGUAL EDUCATION AMENDMENTS OF 1981

HEARINGS
BEFORE THE
SUBCOMMITTEE ON
EDUCATION, ARTS AND HUMANITIES
OF THE
COMMITTEE ON
LABOR AND HUMAN RESOURCES
UNITED STATES SENATE
NINETY-SEVENTH CONGRESS
SECOND SESSION
ON
S. 2002

TO ASSURE THAT AN INTENSIVE COURSE OF ENGLISH INSTRUCTION IS AN INTEGRAL PART OF THE BILINGUAL EDUCATION PROGRAM AND THAT PARTICIPATION IN THE BILINGUAL EDUCATION PROGRAM WILL IN MOST CASES BE LIMITED TO ONE YEAR, AND FOR OTHER PURPOSES

APRIL 23 AND 26, 1982

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BILINGUAL EDUCATION AMENDMENTS OF 1981

FRIDAY, APRIL 23, 1982

U.S. SENATE,
SUBCOMMITTEE ON EDUCATION, ARTS AND HUMANITIES,
COMMITTEE ON LABOR AND HUMAN RESOURCES,
Washington, D.C.

The subcommittee met, pursuant to notice, in room 4232, Dirksen Senate Office Building, Senator Robert T. Stafford (chairman of the subcommittee) presiding.

Present: Senators Stafford and Pell.

OPENING STATEMENT OF SENATOR STAFFORD

Senator STAFFORD. Good morning.

The Subcommittee on Education, Arts and Humanities will please come to order.

I am very happy to welcome my distinguished colleague, Senator Hayakawa, to join us here at the committee for the time being and welcome the most able Secretary of Education, Ted Bell, to the hearing.

Today, the Subcommittee on Education, Arts and Humanities convenes hearings on proposed amendments to the Bilingual Education Act. Over the next 2 days of hearings, the subcommittee will receive testimony representing various viewpoints on the Federal Government's role in encouraging and assisting bilingual education.

This Senator, as chairman of the subcommittee, believes certain key observations should be made prior to hearing from our witnesses.

First, the Federal role in education is to provide access to and equality in education for all Americans. From the chapter I program for disadvantaged children to the Education of All Handicapped Children Act to the Bilingual Education Act, the promotion of access and equality remains the principal Federal responsibility. Congress repeatedly has reaffirmed these objectives despite the challenges of recent months.

Second, the needs of language minority students are of continuing concern to the Congress and remain so. If anything, congressional attention may need to become increasingly directed at these needs. The cause for this concern should be clear. While the overall school-aged population in the United States is projected to rise 16 percent by the year 2000, the population of language minority students will rise by 40 percent during this same period. These trends will have demonstrable implications for schools in many regions, and as a result, they deserve Federal attention.

Third, when Congress passed the Education Consolidation and Improvement Act last year, title VII of the Elementary and Secondary Education Act specifically was excluded from the legislation. In my mind and in the minds of others, the title VII bilingual program's special characteristics should be granted separate status and separate consideration.

Now, the time has come to consider the past, the present and the future of bilingual education. This process will continue against the backdrop of this Senator's belief in the fundamental Federal role of equality opportunity in education. The means and the methods of achieving these ends may vary. They may be the subject of debate and disagreement. Yet, they are the variables which contribute to the ultimate and inviolable goal of equal educational opportunities for all Americans.

Today, we have two distinguished witnesses, Secretary Bell and my colleague, Senator Hayakawa.

Before Secretary Bell begins his testimony, I would like to note for the record his consistent advocacy for bilingual education.

Last year, when the Congress was considering various proposals to consolidate some of the Federal elementary and secondary education programs, Secretary Bell proved to be the major actor to keep the bilingual education program as a separate and distinct program.

I remember his pointing out to me in a series of meetings the special problems language minority children face and how these problems deserve a Federal response.

As a result of his efforts, bilingual education was left as a discretionary program and was not put into block grants.

I personally commend you for your support of bilingual education and look forward, Mr. Secretary, to your testimony this morning, as I always have.

STATEMENT OF HON. TERREL H. BELL, SECRETARY OF EDUCATION, U.S. DEPARTMENT OF EDUCATION, ACCOMPANIED BY DR. JESSE SORIANO, DIRECTOR, OFFICE OF BILINGUAL EDUCATION AND MINORITY LANGUAGE AFFAIRS; AND DR. GARY JONES, DEPUTY UNDER SECRETARY FOR PLANNING, BUDGET, AND EVALUATION.

Secretary **Bell**. Thank you. It is a pleasure to be before you, Mr. Chairman, and Senator Hayakawa, to testify on the bilingual education proposals, and we are grateful to Senator Hayakawa for his sponsorship of this bill.

As I have said several times in the past, I feel strongly that the bilingual education program, authorized by title VII of the Elementary and Secondary Education Act as amended, I feel strongly that this program has a major role to play in furthering the Department's goals of doing our utmost to foster equal educational opportunity for all of the Nation's children.

In this context, I describe the Federal responsibility, particularly as it relates to bilingual education as being catalytic; that is, it has a function of aiding school districts and State education agencies in their responsibilities of developing the capacity to provide the educational programs that are uniquely needed to meet the needs of these students who are limited in their English proficiency.

I believe, for example, that this activity of making grants to school districts is important in providing resources to get these programs started.

But I also would emphasize that we do not believe that the Federal Goverment should sustain these programs indefinitely, and thus we support the limitations as specified in the law in that regard.

We believe that once the Federal Government has helped to get the programs in place that it is the local responsibility to continue to operate them as long as they are necessary.

Then, also, Mr. Chairman, of equal importance is the Federal role in training teachers for bilingual education programs, and I might just depart from my prepared text to comment about the term, bilingual education.

That term presents a bit of a problem right now in communication. Strictly speaking, bilingual education is the teaching of subject matter in the classroom in two languages, and it is done to meet the needs of students who have limited English proficiency.

The fact that we call them bilingual education programs has led to a great deal of controversy. In fact, the regulations, Mr. Chairman, that we withdrew right after assuming our responsibilities were related to the fact that the regulations prescribed one method and specifically excluded any other method in meeting the needs of students.

And we do not think that the Federal Government ought to prescribe teaching methodology, and the reason this bill is before you is for several reasons, but the primary reason is that we wanted to solve the problem of limiting instruction to the bilingual approach, and later on in the discussion, we can discuss other approaches.

But the teaching of English skills and the helping of students to attain competency in the mother tongue of this Nation by any effective means—we do not say by every means and we emphasize that term effective means—is the issue, and that is what we were after in that regard.

And I might, while I am commenting aside from my text, point out that the reason, as the chairman indicated, that I oppose putting the bilingual program in the block grant was not that I wanted to preserve a separate, narrow categorical program.

I felt it would be wasteful to put it there because then the money would be spread quite evenly on a formula across the Nation, and in some areas we have high concentrations of children that have these needs and we have virtually no children in other areas of the country with those needs.

And so I felt, as much as I support block grants and as much as I appreciate the chairman's support of the block grant that we had passed, and we would not have had it passed without the chairman's support, and I want to emphasize that, I did not want the bilingual program in the block grant because it would spread the money all over the country and we need to target these resources, and the dollars, as the chairman knows, are very limited.

Well, back to my prepared text. I thought it might help to clarify that term at this point in the discussion of bilingual education and of problems that have caused this in communication of what we mean.

The lack of an adequate supply of trained teachers and teaching staff, others besides teachers, has been consistently identified as possibly the greatest problem in implementing bilingual programs.

Our efforts over the past years have greatly improved this situation, but we still know that we need more trained bilingual teachers, and we need them trained in several methods, not only the transitional bilingual education methods but in other methods where we can prove success.

Also important within our Federal role are research activities that are planned under part C of the Bilingual Act. As a result of this federally financed research program which has existed since 1979, I believe that we are beginning to answer many of the critical questions regarding appropriate educational services for limited English proficient children.

The purpose of all activities funded under the Bilingual Education Act is to prepare students to transfer into all English classrooms as quickly as possible without falling behind in other subject matter areas.

And I cannot emphasize too much what the purpose is. There has been much discussion and much misunderstanding on that, and so I just underline that statement of the purpose.

We require that all school district projects funded under title VII include an English language component as a major element of their instructional program.

I would like now to comment on our proposed legislation to amend title VII of the Elementary and Secondary Education Act which I forwarded to Congress on April 8. This proposal has three basic purposes.

Our legislation would modify the definition of a program of bilingual education to allow us to fund a greater variety of educational approaches. It would also establish a specific priority for funding projects which serve children that we feel are in the greatest need, those who are both limited English proficient and those whose usual language is not English.

Our proposal would also create a specific authorization for vocational training activities under the Bilingual Education Act. Finally, our proposal would extend the authorization of the Bilingual Education Act through fiscal year 1985.

The proposed language to broaden the definition of programs eligible for funding reflects our belief that school districts are in the best position to evaluate the needs of their students and to design programs in response to those needs.

While at present the title VII legislation requires the use of both English and non-English language, our proposed legislation would not. School districts would be free to propose programs which use both languages or which use English exclusively.

And I might depart from my text to say they would propose the programs, and our program staff would carefully examine them and would fund those that had a high probability of success.

I would not want to go on record to say that we would just be funding anything. We would be very scrupulous with our limited resources in funding those that were proven and that had a high level of success.

Whatever a school district proposes would be justified on the basis of an assessment of needs of children present in the district, and our legislation proposes an assessment of those needs.

The second provision that gives priority to programs serving limited English proficient children whose usual language is not English makes sense in terms of the reduced Federal resources available for education.

While we have no particular problem with the definition of the eligible target population in the current law, we believe that our proposed language is advisable to focus the program on those students that are most in need of special programs.

Students who are both limited English proficient and whose usual language is not English clearly require some educational approach that recognizes this linguistic difference. I am confident that the change we have proposed will make more efficient use of available funds as scarce as they are.

The Office of Bilingual Education and Minority Language Affairs has operated the bilingual vocational training program authorized by the Vocational Act for the past 2 years.

The proposed language would provide an explicit authorization in title VII to operate this program for out-of-school use and adults. While final decisions have not yet been made as to how the title VII authorized vocational program would be administered, we expect that it would closely resemble the antecedent programs that we have had over in the Vocational Education Act.

In summary, then, Mr. Chairman, I believe that the amendments we propose to the Bilingual Education Act will improve the administration of these programs. I urge prompt and favorable consideration of our proposal by this committee and by the Congress.

I would also like to comment, if I may, on S. 2002, a bill introduced by Senator Huddleston, to amend title VII. The bill would change the definition of the target population.

It would require that programs include intensive English language instruction and would, under most circumstances, limit participation of students in the program to 1 year.

Our proposal reflects, we feel, that the most appropriate way to focus the program is through establishing a priority for serving those children who are most in need.

I expect that Senator Huddleston's purpose in proposing the change in target population is the same as ours. We are philosophically very much in agreement with Senator Huddleston in emphasizing English language study in bilingual programs.

We interpret the existing statute to require such an emphasis and have included an explicit requirement for it in our regulations. Furthermore, in our proposal, a school district could choose to use only English in a project funded under the act.

I would emphasize again that they would have to have a good basis and good evidence that there is high probability of success.

The third proposal of S. 2002 which establishes a limit of 1 year for student participation under most circumstances is intriguing, but while we are sympathetic with Senator Huddleston's reasons for proposing it, we cannot support that particular provision.

Specifically, while I believe that student participation in these programs should not usually be necessary for extended periods of time, I do not feel the Federal Government should specify the period of participation.

We think to write that in the law is to make it overly rigid and would cause difficulty in that regard. So I do not support that provision.

Also, while I am enthusiastic about the idea that students be evaluated annually to determine whether or not they should continue in the bilingual program, I do not feel that the Federal Government should require that evaluation as a prerequisite for participation.

In spite of my opposition to this requirement in Senator Huddleston's bill, I sincerely hope that school districts of their own volition will implement appropriate policies relating to regular evaluation of student progress.

While the Department's proposed legislation is different from S. 2002 insofar as its specific provisions are concerned, I think that the two bills are similar in terms of their philosophical underpinning.

I would like, Mr. Chairman, as I express my thanks for the opportunity to appear, to introduce two of my colleagues to you, if I may.

Dr. Gary Jones, who is Deputy Under Secretary for Planning, Budget, and Evaluation, who worked hard on this proposed legislation, and I am proud to have him at the table with me as a colleague.

And Dr. Jesse Soriano, who is the Director of the Office of Bilingual Education and Minority Language Affairs. I might say with a bit of levity that it is just a coincidence that both of these gentlemen are from the State of Michigan.

Dr. Soriano is formerly the director of bilingual education, the program of foreign language instruction in the Michigan State Department of Education. He has recently joined us and is doing a fine job for us.

And, of course, Dr. Jones has been with us for sometime and does a great job in our planning, budget, and evaluation program.

So thank you for this opportunity to present my opening statement, and we are ready to respond to questions.

[The prepared statement of Secretary Bell follows:]

Statement by the Secretary
on
Bilingual Education

Mr. Chairman and Members of the Committee:

I am pleased to be here today to testify on bilingual education. As I have said many times in the past, I feel strongly that the Bilingual Education program, authorized by Title VII of the Elementary and Secondary Education Act of 1965, as amended, has a major role to play in furthering the Department's goal of fostering equal educational opportunity for all the nation's children. Within that context I would describe the Federal responsibility in this area as catalytic -- that is, aiding school districts and State education agencies in developing the capacity to provide educational programs designed to meet the needs of limited English proficient children. Specifically, I believe that the grants to school districts activity is important in providing resources to get these programs started. I do not believe, however, that the Federal government should sustain these programs beyond the time limits specified in the law. Once the Federal government has helped to get these programs in place, it is a local responsibility to continue to operate them as long as they are necessary.

Of equal importance, is the Federal role in training teachers for bilingual education programs. The lack of an adequate supply of trained teaching staff has been consistently identified as the greatest problem in implementing bilingual programs. Our efforts over the past years have greatly improved this situation, but the need for more trained bilingual teachers continues.

Also important within the Federal role are the research activities under Part C of the Bilingual Education Act. As a result of this Federally financed research program which has existed since 1979, I believe that we are beginning to answer many of the critical questions regarding appropriate educational services for limited English proficient children.

The purpose of all activities funded under the Bilingual Education Act is to prepare students to transfer into all-English classrooms as quickly as possible without falling behind in other subject matter areas. We require that all school district projects funded by Title VII include an English language component as a major element of their instructional program.

I would now like to comment on our proposed legislation to amend Title VII of the Elementary and Secondary Education Act which I forwarded to Congress on April 8, 1982. This proposal has three basic purposes. Our legislation would modify the definition of a program of bilingual education to allow us to fund a greater variety of educational approaches. It would also establish a specific priority for funding projects which serve children we feel are most in need — those who are both limited English proficient and whose usual language is not English. Our proposal would also create a specific authorization for vocational training activities under the Bilingual Education Act. Finally, our proposal would extend the authorization of the Bilingual Education Act through fiscal year 1985.

The proposed language to broaden the definition of programs eligible for funding reflects our belief that school districts are in the best position to evaluate the needs of their students and to design programs in response to those needs. While at present the Title VII legislation requires the use of both English and the non-English language, our proposed legislation would not. School districts would be free to propose programs which use both languages or which use English exclusively. Whatever a school district proposes would be justified on the basis of an assessment of the needs of children present in the district.

The second provision which gives priority to programs serving limited English proficient children whose usual language is not English makes sense in terms of the reduced Federal resources available for education. While we have no particular problem with the definition of the eligible target population in the current law, we believe that our proposed language is advisable to focus the program on those students that are most in need of special programs. Students who are both limited English proficient and whose usual language is not English, clearly require some educational approach which recognizes this linguistic difference. I am confident that the change we have proposed will make more efficient use of available funds.

The Office of Bilingual Education and Minority Languages Affairs has operated the Bilingual Vocational Training program authorized by the Vocational Education Act for the past two years. The proposed language would provide an explicit authorization in Title VII to operate this program for out-of-school-youth and adults. While final decisions have not yet been made as to how the Title VII authorized vocational training program would be administered, we expect that it will closely resemble the antecedent program.

In summary, I believe that the amendments we propose to the Bilingual Education Act will improve the administration of these programs. I urge prompt and favorable consideration of our proposal by this Committee and by the Congress.

I would also like to comment on S. 2002, a bill introduced by Senator Huddleston to amend Title VII. The bill would change the definition of the target population, would require that programs include intensive English language instruction, and would, under most circumstances, limit participation of students in the program to one year.

As our proposal reflects, we feel that the most appropriate way to focus the program is through establishing a priority for serving those children who are most in need. I expect that Senator Huddleston's purpose in proposing the change in target population is the same as ours.

We are philosophically very much in agreement with Senator Huddleston in emphasizing English language study in bilingual programs. We interpret the existing statute to require such an emphasis and have included an explicit requirement for it in our regulations. Furthermore, in our proposal, a school district could choose to only use English in a project funded under the Act.

The third provision in S.2002 which establishes a limit of one year for student participation under most circumstances is intriguing, but while I am sympathetic with Senator Huddleston's reasons for proposing it, I cannot support it. Specifically, while I believe that student participation in these programs should not usually be necessary for extended periods of time, I do not feel that the Federal government should specify the period of participation. Also, while I am enthusiastic about the idea that students be evaluated annually to determine whether or not they should continue in the bilingual program, I do not feel that the Federal government should require that evaluation as a prerequisite for participation. In spite of my opposition to this requirement in Senator Huddleston's bill, I sincerely hope that school districts, of their own volition, will implement appropriate policies relating to regular evaluation of student progress.

While the Department's proposed legislation is different from S. 2002 insofar as its specific provisions are concerned, I think that the two bills are similar in terms of their philosophical underpinnings.

Thank you for this opportunity to testify on behalf of our proposed legislation. I would be happy to answer any questions you might have.

Senator STAFFORD. Thank you very much, Mr. Secretary, for a good statement.

For the education of our members on this subcommittee, could you describe some of the bilingual education programs the Department funds? I would be particularly interested in the specifics of any programs which you feel are very effective.

Secretary BELL. Yes. I would like to call on Dr. Soriano, if I may, to give some specifics on that, since he works in the program.

Dr. SORIANO. We fund a variety of programs, Senator. The major portion of our funds go to programs in local school districts where the programs are implemented for children in grades K to 12.

These are what we call our capacity-building programs, our basic programs. In addition to that, we fund a number of training programs through universities, community colleges, and State departments of education as well.

These two areas constitute approximately 10 programs for us. Generally, we have had very good success with our fellowship programs, for example. This is a program under which we train doctoral students in bilingual education.

Ninety-five percent of all of our students who are graduating end up employed in the field of bilingual education as teacher trainers and therefore improve our capacity and our valuable resources and in time will make it possible for us perhaps, as we diminish Federal funds and Federal support, to continue in bilingual education.

Secretary BELL. I wonder if it might be helpful, Mr. Chairman, to give some specific programs and examples and some anectodal evidence of success, if I may for the record, to add to what Dr. Soriano said, and from some information that I have here at the table with me.

In Rockpoint, Ariz., an unusual program, meeting the needs of Navaho children. Prior to the bilingual program in 1971, children there were 2 years behind the norm in the United States in English reading, and by the end of the sixth grade under this program, despite intensive teaching of English as a second language, the bilingual program used Navaho as a major initial medium of instruction and continued its use throughout elementary school.

And from the evaluation results that we have, by the end of grade six, children in the bilingual program were performing slightly above the U.S. grade norms in English reading.

Now, you may think, well slightly above, that's not very significant, but when you take Navaho children and the problems that they have because of their cultural background and so on, for them to come up to that level, we think, is quite significant.

There is a program for Haitian bilingual children in Nyack, N.Y., where students received, as a result of this, higher scores on the New York State standardized math and reading test scores than did those other Haitian children that were not in the program.

We have evidence here from West Chester, Pa., and from Philadelphia, and from Santa Fe, some programs in Puerto Rico where often we have the opposite problem. We have Puerto Rican children that have lived in the United States and their language problem back in Puerto Rico is to have mastery of Spanish, and so we have the reverse problem, and we have some programs down there.

Well, I will not take any more time, but those are some examples. I might indicate while I am commenting on this, Mr. Chairman, that a nationwide evaluation of the results of bilingual education, the results have been mixed.

We were giving you examples of some of our most outstanding programs. We could give you some other examples where there was not much significant difference.

And I think, just like in the title I program, where it took us awhile to learn how to teach disadvantaged children, and now that is a program you can brag about, and there is all kinds of evidence of the good that is being made, I think just now the professionals out in the field are learning how to teach children with limited English proficiency.

And we may be able to provide some other anecdotal evidence and examples for the record.

Senator **Stafford**. We would be glad to have that, Mr. Secretary.

You indicate in your testimony that you would like greater flexibility to fund different types of bilingual education programs. Could you or your associates describe some of the programs you would like to support, but cannot due to the provisions of the current Bilingual Education Act?

Secretary **Bell**. Yes. I wonder, Dr. Jones, if you would care to talk to that question, particularly to the problem that we faced and the objections that we have been getting from school boards of the restrictiveness of it at the present time, and then maybe Dr. Soriano could talk about some specific other approaches.

Dr. **Jones**. The current law, Senator, largely restricts local school districts from any form of teaching limited English-proficient children other than the bilingual transitional method.

We are suggesting there are at least two other methods local school boards should have an option to select. One method is called English as a second language. The other is "structured" immersion.

English as a second language is a method whereby English is the primary classroom language, but the teacher or the teacher's aid is able to communicate with the children in their usual or native language.

The immersion method teaches all subjects in English at a level understood by the students.

Senator **Stafford**. Thank you.

Secretary **Bell**. I do not know if Dr. Soriano wants to add to that. Maybe we can pursue it further in questioning. It has been a big issue, Mr. Chairman, and the outcry when the regulations were initially published was the Federal Government was beginning to prescribe teaching methodology, and some were saying if we can do it here we can do it in mathematics and English and so on.

And of course, that was not the intent, but that was the concern at that time, and that is why we withdrew the regulations.

I would emphasize again, because I think some of our colleagues in the bilingual community are apprehensive, that we are going to let the bars down and that any kind of a half-baked plan can come in and get Federal funding and support from us.

And under Dr. Soriano's program office, these are project-by-project grant proposals, and we would examine carefully the approaches other than the bilingual approach, and we would ask for good evidence that the proposal has a high probability of success.

We do think that we ought to, with all of the evidence that we have now, we do think that we ought to permit those the ESL and the total immersion approach, and there may be others besides those two. We are not just limiting there.

But we think that the legislation ought not be as restrictive as it is now as far as funding is concerned.

Senator **Stafford**. Thank you. If you have any specific examples, as you did for the first question I asked, that you could supply for the record, that would be helpful to the committee also.

Secretary **Bell**. Yes, Senator.

Senator **Stafford**. Mr. Secretary, the number of children who need bilingual education services seems to be in dispute from a number of different experts. How many children in this country, in your judgment, need to be served?

As you know, information gained from the recent census indicates demographic changes in this Nation, and you may want to comment on these as part of your answer.

Secretary **Bell**. Yes. We have struggled with that, and to get a good handle on those numbers has been a big problem. We anticipate some better information as the recent 1980 census data become available to us.

We know that there is a range of between 1,200,000 as a conservative, strictly, tightly defined population. There are at least that many, and there may be as many as 3,600,000 children needing these services.

And it would depend upon at what point and under what judgment you would feel that a student's opportunity for equal access to the curriculum and equal opportunity for learning would be made possible.

So we anticipate that the numbers fall in that range somewhere, and as we complete some of the evaluation that we are now working on, we think we are going to be able to narrow that down more exactly.

But if you look at the dollars that we have and the number of students that we are able to serve at the present time, we are not anywhere near, even if we took the conservative definition of 1,200,000, with the small appropriation we have, we are not anywhere near meeting those needs.

I would emphasize at the same time, lest it sound like we are saying that we need a larger appropriation, that we feel again that we ought to be in a capacity-building strategy.

The responsibility for meeting the needs of these students like all other students needs to rest with the local and State authorities, and ours ought to be to provide that special help training teachers, funding demonstration projects, and proving and developing successful approaches.

So we do not think in any way that we ought to be asking the Federal Government to come forward with the money to fund either the 1,200,000 or the outside number—3,600,000.

Incidentally, a projection that we have, Mr. Chairman, up to the year 2000, looking at some of the growth patterns we see now, is that that population may grow by as much as 35 percent. We received that number from our Bilingual Education Office.

So if you applied a plus-35 percent onto those numbers, it would show what the outward growth trend of this program might be.

Senator **STAFFORD**. Thank you very much, Mr. Secretary, for joining the committee this morning with your associates. The Chair is going to say as a matter of personal observation that, in his view, in a very difficult, and I would say tumultuous, 14 or 15 months for the Federal Government in education, especially in bilingual education, that I think you have served your country very well.

Secretary **BELL**. Thank you, Mr. Chairman. We appreciate this opportunity to be before you.

Senator **STAFFORD**. Thank you.

The subcommittee is most pleased to have our very able and distinguished colleague from California, Senator Hayakawa, with us as a colleague and as a most important witness for the subcommittee.

Senator Hayakawa, welcome, and we would be very pleased and honored to hear your statement.

STATEMENT OF HON. S. I. HAYAKAWA, A U.S. SENATOR FROM THE STATE OF CALIFORNIA

Senator **HAYAKAWA**. Thank you, Mr. Chairman.

I am, indeed, honored to follow the testimony of my good friend, Secretary Terrel Bell of the Department of Education, and he has described in detail the Bilingual Education Improvement Act, S. 2412, which I introduced in the Senate this past Wednesday.

I am pleased to work with Secretary Bell on this issue because we are both committed to giving the school districts more flexibility in their teaching methods while targeting the immigrant population in greatest need of English instruction.

Today, I would like to address bilingual education as it relates to the much broader issue, that is, the question of what language will be used in the United States. As most of you know, I have proposed a constitutional amendment, Senate Joint Resolution 72, which declares as the law of the land what is already a social and political reality; namely, that English is the official language of the United States.

This amendment is needed to clarify the confusing signals we have been giving in recent years to immigrant groups. For example, the requirements for naturalization as a United States citizen say that you must be able to, "read, write, and speak words in ordinary usage in the English language."

And though you must be a citizen to vote, some recent legislation has required bilingual ballots in certain locations. This amendment would end that contradictory, logically conflicting situation.

Now, our immigration laws already require English for citizenship, and the role of bilingual education, then, is to equip immigrants with the necessary English language skills to qualify them for this requirement as well as to qualify them to enter the mainstream of American life.

The problem is that all too often bilingual education programs have strayed from their original intent of teaching English.

A related issue is the full scale of interpretations of the term bilingual education. Changes are that when one asks five people for a definition you are likely to get five different answers.

According to one interpretation, it simply means the teaching of English to non-English speaking people. This is the method I prefer and it is usually called English as a second language or ESL.

On the opposite side of the scale bilingual education is a more or less permanent two-track education system involving the maintenance of a second culture and emphasis on the ethnic heritage of an immigrant group.

Now, this method is called transitional bilingual education and it involves teaching academic subjects to immigrants in their own language coupled with English language instruction.

This is the definition used to determine eligibility for title VII funding.

Now, we have all grown up with the concept of the American melting pot, that is, the merging of a multitude of foreign cultures into one, and this merging of many, many cultures into one that is taking place in the United States is unique in world history.

In no other country in the world have so many people with so many cultures and so many languages become one nation. Thomas Sole remarks on the remarkable fact of this accomplishment that we went through somewhat unconsciously, but nevertheless, it is something that has happened in no other country.

This melting pot has succeeded in creating a vibrant new culture among peoples of many different cultural backgrounds largely because of the widespread use of a common language which in this case happened to be English.

In this world of international and internecine strife, it is a unique concept, and I believe every member of this committee will agree that it has had a fundamental impact on our Nation's greatness.

In the light of the growing emphasis on maintaining a second culture and instruction in native languages, I ask myself, "What are we trying to do? Where do we want to go?"

Demographic research tells us that in some of our States 10 or 20 years from now there may be a majority of individuals with a

Spanish background. It seems to me that we are preparing the ground for permanently and officially bilingual States.

From here to separatist movement a la Quebec would be the final step. Is this a development we want to promote?

Now, I believe that my constitutional amendment as well as my title VII amendments will prevent a crisis familiar to the separatist movement of the French Canadians.

That confused state of affairs is a result of controversy as to which language shall be official in Canada. The existence of two languages in Canada is a result of historical necessity.

The Dominion of Canada was put together out of the French-speaking Province of Quebec and the English-speaking Province of Ontario, and therefore, both languages were made constitutionally official languages.

And after that, within recent years, there has been an attempt to make one dominant over the other, and this is what the quarrel has been about.

I want to avoid a similar situation here in America where the use of another language is encouraged to the point that it could become an official language alongside English. This would perpetuate differences between English speaking and non-English speaking citizens and isolate one group from another.

There can be no doubt that recent immigrants love this country and want to fully participate in its society, but well intentioned transitional bilingual education programs have often inhibited their command of English and retarded their full citizenship.

The results of the 1980 census as summarized in the Washington Post a few days ago, just a couple days ago, I guess, gives some very interesting results. That there are something like 23 million homes in which a language other than English is used at home daily.

Among the Spanish speaking 75 percent of the people in those homes speak English well and 25 percent speak English poorly or not at all. In the non-Spanish, non-English-speaking homes, 87 percent of people living in those homes speak English well and 13 percent speak poorly or not at all.

This means that a large majority, three out of four Spanish speaking people, and many of them are recent arrivals, and almost 9 out of 10 immigrants from other nations try very hard, very fast to learn English.

So that the ordinary process of Americanization and the learning of English takes place quite rapidly because of the pressure of the culture as a whole it seems.

Congress recognized the importance of teaching English to the immigrants in 1968 when it passed title VII of the Elementary and Secondary Education Act. This act permitted the development of pilot projects to teach English to underprivileged immigrant children.

In 1978 Congress expanded the bilingual education program, dropped the poverty qualification and required appreciation for the cultural heritage of students served by Federal funds.

These amendments also introduced the option of providing academic instruction in the native languages of the students coupled with English classes.

This method of instruction, transitional bilingual education, so-called, has been interpreted by a title VII regulation as the only acceptable method of instruction for bilingual education.

The unfortunate result the 1978 action of Congress was to deprive local schools of their flexibility to determine the best method of instruction for their particular non-English-speaking students.

I agree wholeheartedly that we need to do all we can to teach the English language to non-English-speaking students; however, I cannot support a rigid mandate prescribing a single method of instruction.

I believe that given the flexibility to choose their own program, local schools will emphasize English instruction. Without the expensive requirement of a full academic curriculum in foreign languages, schools will be able to teach more non-English-speaking students for the same cost.

I meet with many school boards who are struggling to maintain high quality education in the midst of reduced budgets, and through my own observations as a teacher, I have observed that the more academic instruction children get in their immigrant parent's language, the less quickly they learn English.

I personally believe that English as a second language or ESL and immersion techniques allow non-English-speaking students to master our language so that they can join the mainstream of society more quickly than through transitional bilingual education.

My legislation broadens this range of instructional approaches for serving children of limited English proficiency. I expect school boards to welcome this opportunity to provide more efficient and cost-effective instruction to their immigrant students while maintaining their eligibility to title VII funds.

While I was reading these remarks, Mr. Chairman, it occurred to me that I must have learned English through total immersion. My first language must have been Japanese although I do not speak Japanese very well now.

But your first language you learn from your mother, and my mother never did learn English. So my first language must have been Japanese although I do not remember the process of learning English because as soon as I was old enough to go out and play in the streets with the other kids I started to learn English so I do not remember the process of learning English.

And it sort of startles me to this day to realize I started life as a Japanese-speaking individual and I have such a terrible time speaking Japanese now.

What the learning of a new language requires as is well-known in U.S. military language schools, is total immersion in the new language, and of course, that is what I must have experienced at about the age of 3, or as close to total immersion as possible.

Though I personally support intensive methods of English instruction, I must point out that even my proposed constitutional amendment does not prohibit the use of minority languages to assist non-English-speaking students.

On the contrary, my amendment specifically states it shall not prohibit educational instruction in a language other than English as required as a transitional method of making students who use a language other than English proficient in English.

My bilingual education proposal follows the same line of reasoning by allowing local schools the freedom to choose the teaching method that will best serve their immigrant population and maintain their eligibility for Federal bilingual education funds.

Some immigrant groups argue that transitional bilingual education is necessary to preserve equal educational rights for non-English-speaking students while they are learning English.

I believe that this requirement can actually result in discrimination in the administration of title VII programs. The cost of providing academic subjects in languages other than English can exclude many of our recent immigrant groups such as the Indochinese who speak a variety of languages.

Many school districts educating these students simply cannot afford to provide academic instruction in the many Indochinese languages which are often represented in one school.

Imagine the cost in a single school district of providing academic instruction in Cambodian, in Hmong, in Laotian, and Vietnamese in several grades. It would be a terrible job.

These students are no more affluent in English than the traditional immigrant groups funded under title VII. However, because local schools often use intensive English instruction for Indochinese students, they will not qualify for title VII money.

Section 2, subsection 2 of the Bilingual Education Improvement Act would correct this by allowing funding for projects which use a variety of methods for teaching children with limited English proficiency including but not limited to transitional bilingual education, ESL or total immersion.

Section 2, subsection b insures educational quality for students served by requiring applicant schools to show that they have selected instructional methods that will complement the special needs and characteristics of the title VII students.

The acquisition of a new language is far easier for children than for adults. Children at the ages of 4 to 6 are at the very height of their language learning powers, and from there on, we go downhill.

In families where the father speaks one language to the children and the mother speaks to the children in another language and let us say the maid speaks to them in a third language, the children grow up trilingual without realizing that they have gone through an extremely complex process. It just comes naturally.

But if you try to do that to them when they are 20, it is impossible. For anyone over 20, it is a complex process involving conceptualization, learning grammar, learning the syntax of a totally unfamiliar language structure, et cetera. It is a very, very difficult business.

But when you are 4 to 6 you just pick it up without knowing that there is a very complex thing happening. Analytically there are enormous differences as let us say between Japanese and English or between Japanese and Chinese for that matter. We just take it all in stride when we are a very, very little child.

Because of these differences, the rates and methods of language learning among different age groups, schoolchildren especially under the age of 10 should be exposed to English constantly through contact with English speaking classmates and playmates.

They will learn English effortlessly without the sense of undergoing a difficult experience.

A second provision of the Bilingual Education Act or the Bilingual Education Improvement Act would give priority funding to title VII projects which serve children who are both of limited English proficiency and whose usual language is not English.

In our current period of limited Federal resources in education, both Secretary Bell and I agree that it is imperative to target title VII funds to this particular group of immigrant children.

It is clear that the proposed fiscal year 1983 budget of $94.5 million cannot serve the approximately 3.6 million students who are technically eligible for title VII aid.

This provision in my legislation would target those who are most limited in their ability to speak English without tampering with the current definition of eligibility for title VII funding.

During our discussions, Secretary Bell and I have agreed that this effort to channel title VII funds to the students who are least proficient in English is not to be interpreted as a Federal mandate which will intrude in the local school's determinations about their immigrant students.

It is an incentive to local school officials to set priorities for using limited Federal bilingual education funds. We agree that this new provision will be immensely helpful in clarifying the target population of students who are the most limited in their ability to speak English.

The third provision of this legislation would authorize several programs under title VII which were previously under the Vocational Education Act. Vocational training for immigrant adults and other school youth, training funds for teachers of immigrant students and bilingual materials development have all proved to be small but nevertheless effective programs.

This provision would remove the set-aside for each program required under the Vocational Education Act and would allow the Department of Education to set priorities for the use of these funds.

The focus of this funding will be for demonstration projects which will identify successful teaching methods rather than serve as projects which merely maintain the status quo.

I am very encouraged by Secretary Bell's interest in using these programs as catalysts for research and development which will encourage State and local education agencies to share in the formulation of new training methods.

Another small but extremely important provision of my legislation would require English proficiency for instructors in bilingual education programs. I was shocked to learn that title VII currently places greater importance on its teachers knowing the native language of their students than on knowing English.

My legislation will amend section 271(b) of the 1978 act to fund programs, "including only those teachers who are proficient in English and to the extent possible in any other language used to provide instruction."

The emphasis is reversed from knowledge of the immigrant language to knowledge which Secretary Bell and I agree reflects true intent of federally funded bilingual education.

The issue of English as our official language and bilingual education for immigrants is especially timely in the light of, as I say, the Census Bureau figures released this past Tuesday.

The 1980 census found that 23 million people in the United States age 5 or older speak a language other than English at home. We as Americans must reassess our commitment to the preservation of English as our common language.

Learning English has been the primary task of every immigrant group for two centuries. Participation in the common language has rapidly made the political and economic benefits of American society available to every new group as they came in, and those who have mastered English have overcome the major hurdles to participation in our democracy.

Passage of my English language amendment as well as my bilingual education program will insure that we maintain a common basis for communicating and for sharing ideas.

I thank the chair.

[The prepared statement of Senator Hayakawa and questions and responses follow:]

U.S. SENATOR S.I. HAYAKAWA
TESTIMONY BEFORE
SUBCOMMITTEE ON EDUCATION, ARTS AND HUMANITIES
SENATE COMMITTEE ON LABOR AND HUMAN RESOURCES
"BILINGUAL EDUCATION IMPROVEMENT ACT"
FRIDAY, APRIL 23, 1982

THANK YOU MR. CHAIRMAN.

I AM HONORED TO FOLLOW THE TESTIMONY OF MY GOOD FRIEND SECRETARY TERREL BELL OF THE DEPARTMENT OF EDUCATION. HE HAS DESCRIBED IN DETAIL THE BILINGUAL EDUCATION IMPROVEMENT ACT, S. 2412, WHICH I INTRODUCED IN THE SENATE THIS PAST WEDNESDAY. I AM PLEASED TO WORK WITH SECRETARY BELL ON THIS ISSUE, AS WE ARE BOTH COMMITTED TO GIVING SCHOOL DISTRICTS MORE FLEXIBILITY IN THEIR TEACHING METHODS WHILE TARGETING THE IMMIGRANT POPULATION IN GREATEST NEED OF ENGLISH INSTRUCTION.

TODAY I WOULD LIKE TO ADDRESS BILINGUAL EDUCATION AS IT RELATES TO A MUCH BROADER ISSUE: THE QUESTION OF WHAT LANGUAGE WILL BE USED IN THE UNITED STATES. AS MOST OF YOU KNOW I HAVE PROPOSED A CONSTITUTIONAL AMENDMENT, SENATE JOINT RESOLUTION 72 WHICH DECLARES AS THE LAW OF THE LAND WHAT IS ALREADY A SOCIAL AND POLITICAL REALITY: THAT ENGLISH IS THE OFFICIAL LANGUAGE OF THE UNITED STATES. THIS AMENDMENT IS NEEDED TO CLARIFY THE CONFUSING SIGNALS WE HAVE GIVEN IN RECENT YEARS TO IMMIGRANT GROUPS. FOR EXAMPLE THE REQUIREMENTS FOR NATURALIZATION AS A U.S. CITIZEN SAY YOU MUST BE ABLE TO "READ, WRITE AND SPEAK WORDS IN ORDINARY USAGE IN THE ENGLISH LANGUAGE". AND THOUGH YOU MUST BE A CITIZEN TO VOTE, SOME RECENT LEGISLATION HAS REQUIRED BILINGUAL BALLOTS IN CERTAIN LOCATIONS. THIS AMENDMENT WOULD END THAT CONTRADICTORY, LOGICALLY CONFLICTING SITUATION.

OUR IMMIGRATION LAWS ALREADY REQUIRE ENGLISH FOR CITIZENSHIP. THE ROLE OF BILINGUAL EDUCATION IS THEN TO EQUIP IMMIGRANTS WITH THE NECESSARY ENGLISH LANGUAGE SKILLS TO QUALIFY THEM FOR THIS REQUIREMENT. THE PROBLEM IS THAT ALL TOO OFTEN, BILINGUAL EDUCATION PROGRAMS HAVE STRAYED FROM THEIR ORIGINAL INTENT OF TEACHING ENGLISH. A RELATED ISSUE IS THE FULL SCALE OF INTERPRETATIONS FOR THE TERM "BILINGUAL EDUCATION". CHANCES ARE THAT WHEN ONE ASKS FIVE PEOPLE FOR A DEFINITION, FIVE VERY DIFFERENT ANSWERS WILL BE GIVEN. ACCORDING TO ONE INTERPRETATION, IT SIMPLY MEANS THE TEACHING OF ENGLISH TO NON-ENGLISH-SPEAKERS. THIS IS THE METHOD I PREFER AND IS USUALLY CALLED ENGLISH-AS-A-SECOND-LANGUAGE OR ESL. ON THE OPPOSITE SIDE OF THE SCALE BILINGUAL EDUCATION IS A MORE OR LESS PERMANENT TWO TRACK EDUCATION SYSTEM INVOLVING THE MAINTENANCE OF A SECOND CULTURE AND AN EMPHASIS ON ETHNIC HERITAGE. THIS METHOD IS CALLED TRANSITIONAL BILINGUAL EDUCATION AND INVOLVES TEACHING ACADEMIC SUBJECTS TO IMMIGRANTS IN THEIR OWN LANGUAGE COUPLED WITH ENGLISH LANGUAGE INSTRUCTION. THIS IS THE DEFINITION USED TO DETERMINE ELIGIBILITY FOR TITLE VII FUNDING.

WE ALL GREW UP WITH THE CONCEPT OF THE AMERICAN MELTING POT, THAT IS THE MERGING OF A MULTITUDE OF FOREIGN CULTURES INTO ONE. THIS MELTING POT HAS SUCCEEDED IN CREATING A VIBRANT NEW CULTURE AMONG PEOPLES OF MANY DIFFERENT CULTURAL BACKGROUNDS LARGELY BECAUSE OF THE WIDESPREAD USE OF A COMMON LANGUAGE, ENGLISH. IN THIS WORLD OF NATIONAL STRIFE, IT IS A UNIQUE CONCEPT. I BELIEVE EVERY MEMBER OF THIS COMMITTEE WILL AGREE THAT IT HAD A FUNDAMENTAL IMPACT ON OUR NATION'S GREATNESS. IN LIGHT OF THE GROWING EMPHASIS ON MAINTAINING A SECOND CULTURE AND INSTRUCTION IN THE NATIVE LANGUAGES, I ASK MYSELF WHAT ARE WE TRYING TO DO? WHERE DO WE WANT TO GO?

Demographic research tells us that in some of our states, 10 or 20 years from now there will be a majority of individuals with Spanish background. It seems to me that we are preparing the ground for permanently and officially bilingual states. From here to separatist movements ala Quebec would be the final step. Is this the development which we what to promote?

I believe that my constitutional amendment as well as my Title VII amendments will prevent a crisis similar to the separatist movement of French Canadians. That confused state of affairs is a result of controversy about which language shall be the official one used in Canada. I want to avoid a similar situation here in America where use of another language is encouraged to the point that it could become an official language alongside English. This would perpetuate differences between English-speaking and non-English-speaking citizens and isolate one group from the other. There can be no doubt that recent immigrants love this country and want to fully participate in its society. But well-intentioned transitional bilingual education programs have often inhibited their command of English and retarded their full citizenship.

Congress recognized the importance of teaching English to immigrants in 1968 when it passed Title VII of the Elementary and Secondary Education Act. This Act permitted the development of pilot projects to teach English to underprivileged immigrant children. In 1978 Congress expanded the bilingual education program, dropped the poverty qualification and required appreciation for the cultural heritage of the students served by federal funds. These amendments also introduced the option of providing academic instruction in the native languages of the students, coupled with English classes.

THIS METHOD OF INSTRUCTION, TRANSITIONAL BILINGUAL EDUCATION, HAS BEEN INTERPRETED BY TITLE VII REGULATIONS AS THE ONLY ACCEPTABLE METHOD OF INSTRUCTION FOR BILINGUAL EDUCATION. THE UNFORTUNATE RESULT OF CONGRESS' 1978 ACTION WAS TO DEPRIVE LOCAL SCHOOLS OF THEIR FLEXIBILITY TO DETERMINE THE BEST METHOD OF INSTRUCTION FOR THEIR PARTICULAR NON-ENGLISH-SPEAKING STUDENTS.

I AGREE WHOLEHEARTEDLY THAT WE NEED TO DO ALL WE CAN TO TEACH THE ENGLISH LANGUAGE TO NON-SPEAKING STUDENTS. HOWEVER, I CANNOT SUPPORT A RIGID MANDATE PRESCRIBING A SINGLE METHOD OF INSTRUCTION. I BELIEVE THAT GIVEN THE FLEXIBILITY TO CHOOSE THEIR OWN PROGRAM, LOCAL SCHOOLS WILL EMPHASIZE ENGLISH INSTRUCTION. WITHOUT THE EXPENSIVE REQUIREMENT OF A FULL ACADEMIC CURRICULUM IN FOREIGN LANGUAGES, SCHOOLS WILL BE ABLE TO TEACH MORE NON-ENGLISH-SPEAKING STUDENTS FOR THE SAME COST. I HAVE MET WITH MANY SCHOOL BOARDS WHO ARE STRUGGLING TO MAINTAIN HIGH QUALITY EDUCATION IN THE MIDST OF REDUCED BUDGETS. THROUGH MY PERSONAL COMMUNICATIONS STUDIES, I HAVE OBSERVED THAT THE MORE ACADEMIC INSTRUCTION CHILDREN GET IN THEIR IMMIGRANT PARENTS' LANGUAGE, THE LESS QUICKLY THEY LEARN ENGLISH. I PERSONALLY BELIEVE THAT ESL AND IMMERSION TECHNIQUES ALLOW NON-ENGLISH-SPEAKING STUDENTS TO MASTER OUR LANGUAGE SO THEY CAN JOIN THE MAINSTREAM OF SOCIETY MORE QUICKLY THAN THROUGH TRANSITIONAL BILINGUAL EDUCATION. MY LEGISLATION BROADENS THE RANGE OF INSTRUCTIONAL APPROACHES FOR SERVING CHILDREN OF LIMITED ENGLISH PROFICIENCY. I EXPECT SCHOOL BOARDS TO WELCOME THIS OPPORTUNITY TO PROVIDE MORE EFFICIENT AND COST EFFECTIVE INSTRUCTION TO THEIR IMMIGRANT STUDENTS WHILE MAINTAINING THEIR ELIGIBILITY FOR TITLE VII FUNDS.

WHAT THE LEARNING OF A NEW LANGUAGE REQUIRES, AS IS WELL-KNOWN IN U.S. MILITARY LANGUAGE SCHOOLS, IS TOTAL IMMERSION IN THE NEW LANGUAGE, OR AS CLOSE TO TOTAL IMMERSION AS POSSIBLE. THOUGH I PERSONALLY SUPPORT INTENSIVE METHODS OF ENGLISH INSTRUCTION, I MUST POINT OUT THAT EVEN MY PROPOSED CONSTITUTIONAL AMENDMENT DOES NOT PROHIBIT THE USE OF MINORITY LANGUAGES TO ASSIST NON-ENGLISH-SPEAKING STUDENTS. ON THE CONTRARY, IT SPECIFICALLY STATES THAT IT "SHALL NOT PROHIBIT EDUCATIONAL INSTRUCTION IN A LANGUAGE OTHER THAN ENGLISH AS REQUIRED AS A TRANSITIONAL METHOD OF MAKING STUDENTS WHO USE A LANGUAGE OTHER THAN ENGLISH PROFICIENT IN ENGLISH". MY BILINGUAL EDUCATION PROPOSAL FOLLOWS THE SAME LINE OF REASONING BY ALLOWING LOCAL SCHOOLS THE FREEDOM TO CHOOSE THE TEACHING METHOD THAT WILL BEST SERVE THEIR IMMIGRANT POPULATION AND MAINTAIN THEIR ELIGIBILITY FOR FEDERAL BILINGUAL EDUCATION FUNDS.

SOME IMMIGRANT GROUPS ARGUE THAT TRANSITIONAL BILINGUAL EDUCATION IS NECESSARY TO PRESERVE EQUAL EDUCATIONAL RIGHTS FOR NON-ENGLISH-SPEAKING STUDENTS WHILE THEY ARE LEARNING ENGLISH. I BELIEVE THAT THIS REQUIREMENT CAN ACTUALLY RESULT IN DISCRIMINATION IN THE ADMINISTRATION OF TITLE VII PROGRAMS. THE COST OF PROVIDING ACADEMIC SUBJECTS IN A LANGUAGE OTHER THAN ENGLISH CAN EXCLUDE MANY OF OUR RECENT IMMIGRANT GROUPS SUCH AS THE INDOCHINESE WHO SPEAK A VARIETY OF LANGUAGES. MANY LOCAL DISTRICTS EDUCATING THESE STUDENTS SIMPLY CANNOT AFFORD TO PROVIDE ACADEMIC INSTRUCTION IN THE MANY INDOCHINESE LANGUAGES WHICH ARE OFTEN REPRESENTED IN ONE SCHOOL. IMAGINE THE COST OF PROVIDING ACADEMIC INSTRUCTION IN CAMBODIAN, HMONG, LAOTIAN, AND VIETNAMESE IN SEVERAL GRADES. THESE STUDENTS ARE NO MORE FLUENT IN ENGLISH THAN THE TRADITIONAL IMMIGRANT GROUPS FUNDED UNDER TITLE VII.

However, because local schools often use intensive English instruction for Indochinese students, they will not qualify for Title VII money. Section 2, subsection 2 of the Bilingual Education Improvement Act would correct this by allowing funding for projects which use a variety of methods for teaching children with limited English proficiency including but not limited to transitional bilingual education, ESL, or immersion. Section 2, subsection B insures educational quality for students served by requiring applicant schools to show that they have selected instruction methods that will complement the special needs and characteristics of the Title VII students.

The acquisition of a new language is far easier for children than for adults. Children at the ages of four to six are at the height of their language-learning powers. In families where the father speaks to the children in one language, the mother in another, and the maid in a third, the children grow up trilingual with no difficulty. From the age of six onward, there is a gradual decline in a child's language-learning powers, so that learning a new language as an adolescent is a more difficult and self-conscious process than it is for a child. For anyone over twenty, it is a much more difficult process, involving conceptualization, like learning rules of grammar. A child picks up unfamiliar grammar without conscious effort. Because of these differences in the rates and methods of language learning among different age groups, school children, especially under the age of ten, should be exposed to English constantly through contact with English-speaking classmates and playmates. They will learn English effortlessly, without the sense of undergoing a difficult experience.

The second provision of the Bilingual Education Improvement Act would give priority funding to Title VII projects which serve children who are both of limited English proficiency and whose usual language is not English. In our current period of limited Federal resources in education, both Secretary Bell and I agree that it is imperative to target Title VII funds to this particular group of immigrant children. It is clear that the proposed Fiscal Year 1983 budget of $94.5 million cannot serve the approximately 3.6 million students who are technically eligible for Title VII aid. This provision of my legislation will target those who are most limited in their ability to speak English without tampering with the current definition of eligibility for Title VII funding. During our discussions, Secretary Bell and I have agreed that this effort to channel Title VII funds to the students who are least proficient in English is not to be interpreted as a Federal mandate which will intrude in the local schools' determinations about their immigrant students. It is an incentive to local school officials to set priorities for using limited Federal bilingual education funds. We agree that this new provision will be immensely helpful in clarifying a target population of students who are the most limited in their ability to speak English.

The third provision in this legislation would authorize several programs under Title VII which were previously under the Vocational Education Act. Vocational training for immigrant adults and out-of-school youth, training funds for teachers of immigrant students, and bilingual materials development have all proved to be small but effective programs. This provision would remove the set-aside for each program required under the Vocational Education Act and would allow the Department of Education to set priorities for the use of these funds. The focus of this funding will be for demonstration projects which will identify successful teaching methods rather than service projects which merely maintain the status quo. I am very encouraged by Secretary Bell's interest in using these programs as catalysts of research and development which will encourage state and local education agencies to share in the formulation of new training methods.

Another small, but extremely important provision of my legislation would require English proficiency for instructors in bilingual education programs. I was shocked to learn that Title VII currently places greater importance on its teachers knowing the native language of their students than on knowing English. My legislation will amend Section 721 (b) of the 1978 Act to fund programs "including only those teachers who are proficient in English, and, to the extent possible, in any other language used to provide instruction". The emphasis is reversed from knowledge of the immigrant language to English, which Secretary Bell and I agree reflects the true intent of federally funded bilingual education.

The issue of English as our official language and bilingual education for immigrants is especially timely in light of the Census Bureau figures released this past Tuesday. The 1980 census found that 23 million people in the United States aged 5 or older speak a language other than English at home. We as Americans must reassess our commitment to the preservation of English as our common language. Learning English has been the primary task of every immigrant group for two centuries. Participation in the common language has rapidly made the political and economic benefits of American society available to each new group. Those who have mastered English have overcome the major hurdle to participation in our democracy. Passage of my English language amendment, as well as my bilingual education proposal, will insure that we maintain a common basis for communicating and sharing ideas.

S. I. HAYAKAWA
CALIFORNIA

PATTY WHITE
ADMINISTRATIVE ASSISTANT

United States Senate
WASHINGTON, D.C. 20510

COMMITTEES:
AGRICULTURE, NUTRITION, AND FORESTRY
FOREIGN RELATIONS
SMALL BUSINESS

June 28, 1982

Honorable Robert T. Stafford
Chairman
Subcommittee on Education, Arts,
and Humanities
Committee on Labor and Human
Resources
United States Senate
Washington, D.C. 20510

Dear Bob:

Enclosed are my responses to the questions from Senator Kennedy for the hearing record of S. 2412, the Bilingual Education Improvement Act. The questions were forwarded to me through your letter of June 4, 1982.

Sincerely,

Sam
S. I. Hayakawa

SIH/dm

RESPONSES FROM SENATOR S. I. HAYAKAWA TO QUESTIONS ASKED BY SENATOR TED KENNEDY REGARDING S. 2412, BILINGUAL EDUCATION IMPROVEMENT ACT

1. IN YOUR TESTIMONY, YOU STATED THAT "THE ROLE OF BILINGUAL EDUCATION IS TO EQUIP IMMIGRANTS WITH THE NECESSARY ENGLISH LANGUAGE SKILLS TO QUALIFY THEM TO 'READ, WRITE AND SPEAK WORDS IN ORDINARY USAGE IN THE ENGLISH LANGUAGE.'"

    A. SINCE A VAST MAJORITY OF THE ELIGIBLE PARTICIPANTS UNDER TITLE VII ARE NATIVE-BORN, WHY DO YOU EXCLUDE THEM IN YOUR DESCRIPTION OF THE GOALS OF BILINGUAL EDUCATION?

    Answer: Let me first address your initial statement. In quoting the phrase "read, write and speak words in ordinary usage in the English language", I was discussing the need for immigrants to learn English in order to satisfy the requirements for naturalization. In this context, the vast majority of naturalized citizens were immigrants and their children who became citizens at the same time. I did not exclude native-born non- or limited-English-speaking people from the goals of bilingual education but was merely focusing on the major group that needs to satisfy the requirement of English language proficiency in order to become a citizen of the United States.

    B. WHY DO YOU IGNORE OTHER IMPORTANT BENEFITS OF BILINGUAL EDUCATION PROGRAMS (FOR EXAMPLE, LOWER DROPOUT RATES; OVERALL ACADEMIC ACHIEVEMENT; INCREASED TEACHER CONTACT WITH "LIMITED ENGLISH PROFICIENT" PARENTS)?

    Answer: I did not ignore the benefits of bilingual education programs. My legislation does not prohibit the use of these programs but merely allows flexibility so the school districts

1B Answer (cont.)

can apply those teaching methods that are best suited to the students in their program. Therefore I was not commenting on the pros or cons of the Title VII program as such, but on specific methods of instruction being used to implement it.

2. YOU INDICATED IN YOUR STATEMENT THAT BILINGUALISM COULD EVENTUALLY LEAD TO A SEPARATIST MOVEMENT IN OUR COUNTRY. ARE THERE MANY CIRCUMSTANCES WHERE THE FEDERAL GOVERNMENT WOULD BE JUSTIFIED IN PROMOTING BILINGUALISM?

   Answer: Bilingualism can play an important role in national security affairs, foreign business interests, and the development of our country's relationships with nations abroad -- to name a few. However these are in no way connected with the aims of Title VII and my legislation. The discussion here is on the best way to teach English to non- and limited-English-speaking people.

3. IN YOUR TESTIMONY, YOU STATE THAT BILINGUAL EDUCATION PROGRAMS FUNDED UNDER TITLE VII INVOLVE "THE MAINTENANCE OF A SECOND CULTURE AND AN EMPHASIS ON ETHNIC HERITAGE." HOWEVER, TITLE VII SIMPLY REQUIRES AN INSTRUCTIONAL APPROACH EMPLOYING ENGLISH AND THE STUDENT'S NATIVE LANGUAGE AND INCLUDING AN APPRECIATION FOR THE STUDENT'S CULTURAL HERITAGE.

   A. WHAT THEN IS THE SOURCE FOR YOUR CONCLUSION WITH REGARD TO TITLE VII PROGRAMS?

   Answer: Indeed your statement of the requirements of Title VII is true. But through interpretation of the Title, the method of instruction being most widely used overemphasizes the use of the native language. This impedes the person's integration into the American society. Evidence of this problem can be seen by looking at the programs of various school districts.

3. B. IS IT YOUR CONTENTION THAT AN APPRECIATION OF THE STUDENT'S CULTURAL HERITAGE SHOULD NOT BE INCLUDED IN THE INSTRUCTIONS?

Answer: No. My Japanese heritage is very important to me and I would not want to deny that knowledge and experience to anyone. But the major responsibility of the Title VII program, as I've stated before, is to teach English. An appreciation of the student's cultural heritage is important but should not play a major role in the program.

4. YOU STATE THAT THE CONGRESSIONAL INTENT UNDERLYING THE 1968 BILINGUAL EDUCATION ACT WAS TO TEACH IMMIGRANTS ENGLISH. WHAT IS YOUR SOURCE FOR THAT CONCLUSION?

Answer: I believe it is important to quote my statement. "Congress recognized the importance of teaching English to immigrants in 1968 when it passed Title VII of the Elementary and Secondary Education Act." As you are well aware, Congress in deluged each session with proposed legislation and it is impossible for each to be considered. Therefore, those of a more urgent and nationally important nature are emphasized during the course of committee meetings, floor action, etc. The fact that Congress undertook and completed the task of investigating and passing this legislation shows its recognition of the need for the Title VII program.

5. YOU ALSO STATED IN YOUR TESTIMONY THAT LOCAL SCHOOLS WOULD TAKE THE OPPORTUNITY UNDER YOUR AMENDMENTS TO EMPHASIZE ENGLISH INSTRUCTION AT THE EXPENSE OF BILINGUAL EDUCATION.

   A. GIVEN THAT MANY BILINGUAL EDUCATION PROGRAMS HAVE PROVEN TO BE EFFECTIVE, WHAT IS THE JUSTIFICATION FOR THIS?

   Answer: Bilingual education programs that focus on the use of the native language with English treated as a separate subject have not proven particularly successful when compared with an English-based approach. The success of the immersion teaching method can be readily seen in a variety of educational programs teaching English to non-English-speaking students and a foreign language to English speaking students.

   B. WHY SHOULD THE FEDERAL GOVERNMENT ENCOURAGE LOCAL SCHOOL DISTRICTS TO TAKE ACTIONS IN CONTRAVENTION OF STATE BILINGUAL EDUCATION LAWS?

   Answer: My legislation does not encourage such actions. It allows flexibility in the methods employed by school districts and would work in conjunction with any existing state bilingual education laws.

6. YOU STATED THAT GREATER ACADEMIC TRAINING IN THE IMMIGRANT'S NATIVE LANGUAGE TENDED TO INTERFERE WITH HIS OR HER LEARNING OF ENGLISH.

   A. DOES THIS OBSERVATION HOLD TRUE FOR NATIVE-BORN "LIMITED ENGLISH PROFICIENT" STUDENTS?

   B. HAVE ANY OTHER STUDIES COME TO SIMILAR CONCLUSIONS?

   Answer: In response to both questions A and B, I can only reiterate my comments to question 5A. When the native language is used to teach non- or limited-English-speaking students, it becomes the language relied upon. When it is used for clarification purposes, English is emphasized and more readily learned.

Senator STAFFORD. Thank you very much, Senator Hayakawa. Your testimony is especially helpful to this subcommittee and to our full committee because of your long and distinguished career in education yourself.

I have no questions but I am happy now to welcome my colleague, Senator Pell. And Senator, if you have a statement or questions, this would be a good time.

Senator PELL. Thank you very much, Mr. Chairman. I have no questions except to say I think we are all very fortunate to have the Senator from California here because I do not think anybody knows more about the science of the study of language. It is linguistics or semantics?

Senator HAYAKAWA. Both.

Senator PELL. What is the difference?

Senator HAYAKAWA. Well, semantics is one branch of linguistics. I mean, linguistics can be divided into many areas, into lexicography, into phonetics, into comparative linguistics, comparative grammar, comparative syntax, et cetera, et cetera. Semantics deals more specifically with the study of meaning as such.

Senator PELL. We are very fortunate. I think you, more than any other member of the Senate, ever in the Senate, understands the complexity of linguistics.

One question a little off the subject, but when I was younger, I used to hear a great deal about Esperanto which was going to be made into a lingua franca for the world. That has been dropped by the wayside and English is becoming something of a lingua franca with aviation and navigation and in a variety of ways.

What is your own view? Do you think that Esperanto or some common language will ever be developed or will English become the lingua franca?

Senator HAYAKAWA. The very distinguished linguists scholar—he taught in Denmark—Otto Jesperson, used to say that if the English speaking people would make rational their spelling system, he would root for making English the universal second language.

Well, we still have not made our spelling rational. You will recall the Chicago Tribune's attempt to spell freight rate, f-r-a-t-e-r-a-t-e. It makes perfectly good sense. They wanted to spell tariff and sheriff with one "r" and one "f" apiece which also makes perfectly good sense.

But Colonel McCormick who was the publisher of the Chicago Tribune at that time was simply laughed at for his efforts.

President Theodore Roosevelt was a great exponent of reformed spelling. When he was finally defeated there was a cruel cartoon of him walking into the sunset and above him was great letters saying "T-h-r-u." [Laughter.]

So there is every kind of logical reason for improving English spelling, and if English spelling were made more rationale than it is, I am sure that the difficulties—that the world would welcome it, and it would become an international second language with very, very much less difficulty than it is experiencing now.

But even with the difficulties that our crazy spelling system offers to the world, it is becoming a universal second language.

When I was last in Japan, I was interested in the automobile and its parts, and I asked them, "Well, what do you call this part of an automobile?" And they said, "Fender."

I said, "What do you call this?" "Wiper." "And what do you call this?" "Window." And I said, "Well, you have a Japanese word for 'window'." Well, on a car, it is window, but anywhere else a window is a "mato", and so on.

And along with technology and along with games and along with rock music and along with other cultural phenomenon, the vocabulary follows the cultural phenomenon and the technology, and because of the rapid spread of American technology in all parts of the world, even in Japanese cars, it comes along with an American vocabulary.

So I think that the future holds more and more promise of English becoming a universal second language.

Senator **Pell**. Well, one thought there or comment is now in France with the new government of Mitterand, I understand he is seeking to reverse things so that instead of saying hamburger, they will have squashed horsemeat in French, whatever the words would be, but taking out the English words that have crept into French.

And I am wondering if this is not creeping around the world, too, because after the war we had this direction toward English, yet today you find some countries are going in the reverse. For example, India which had English as its common language is now going back, I think, to either Hindi or Erdu. In Ireland, they are trying to make Gaelic the language where is the common language. In the Philippines where English and Spanish were the common languages, they are trying to make Tagalog the language. In Africa, there are various revisions going on.

Is there any way of discouraging this in order to move in the direction both you and I believe should be done to more of a common language?

Senator **Hayakawa**. The problem is, and it is a problem, is that the rise of national self-consciousness in any cultural group, let us say, for example of the Welch, is usually accompanied by the revival of the ancient Welch language and the attempt to talk in a, well, obsolete dialect, and this happens all over the world at one time or other.

But once they begin to join a universal communications system, if you had, let us say, a more powerful Wales with an international airline, they are not going to approach the airport in New York or Tokyo or Berlin speaking only Welch. They have got to join the network of the international languages that are accepted for international air travel.

And that imperative of technology and world trade and world travel hits us all, and therefore, Welch and Gaelic and many other languages belonging to smaller groups like American Indian tribes and so on, however beautiful they may be to those who speak it, they have a limited usefulness.

And there may be some wise old people among them who will recall the poetry in those languages, but for purposes of international commerce or even for ordinary citizenship in a large nation, it is going to disappear.

Senator **Pell**. And even we are pretty backward in this regard because you mentioned commerce as well. I am thinking of the metric system which is a means of communication and which the whole world except the United States and three small countries in the Caribbean and Africa are on it. We are now going in reverse, moving away from the metric system.

We have had a Metric Board that was moving us toward the metric system, but now, under the present administration, the board is being dissolved, and we are moving backward. I do not know if anything can be done in that regard. Do you have any thoughts there?

Senator **Hayakawa**. In every great struggle, there are retreats as well as advances. I do not know why it happens to be that liquor comes in the metric system more and more often than anything else that I come across. [Laughter.]

But butter does not and milk does not yet. So perhaps the metric system lends itself to booze more than it does milk.

Senator **Pell**. Let us all familiarize ourselves with the metric system then. [Laughter.]

Thank you. I have a statement, Mr. Chairman.

Senator **Stafford**. Thank you very much, Senator Hayakawa.

Senator **Hayakawa**. Thank you, Mr. Chairman.

Senator **Stafford**. This whole discussion reminds me that, since I live in a State that borders with the Province of Quebec, French is the second language in the northern part of my state. It is probably French that would not be fully recognized in France because it has been over here 200 years, just like our English.

And about 5 miles north of the Vermont border into Quebec on one of the main arterial highways, there is a sign which says, "English spoken, American understood." [Laughter.]

We thank you very much, sir, for your help.

Senator **Pell**. Mr. Chairman, I want to compliment you on holding these hearings which come at a particularly difficult and sensitive time. We are being asked to undertake a calm and deliberative examination of the Bilingual Education Act at the very time the present administration seeks to reduce the funding by about a third.

We are being asked to open the program to permit a wider variety of instructional methods at the same time that under the administration's proposal 125,000 students could be dropped from bilingual education services and 200 school districts could lose Federal bilingual education support.

We are seeking to build a better education program when support for the bilingual teacher training could be cut by 20 percent and Federal funds for bilingual instructional materials might be cut in half.

I believe we must take a careful look at the provisions of the present Bilingual Education Act. I am concerned that students may not be learning English as quickly as Congress had intended.

Also, there might be methods in addition to bilingual instruction that suit the educational needs of the child of limited English proficiency. These are complicated questions and can only be answered by the course of hearings that you are now conducting.

I also recognize that asking these questions and debating them at the same time that funding for the program is in such jeopardy could provide ammunition for those who simply wish to cut off all Federal funding and gut the program.

I would hope you could proceed with extreme care, recognizing that the present law should be improved but not by throwing the baby out with the bath water. We want to insure that English does become the common language, but that children who come of a foreign language background have ample opportunity to learn English.

I feel particularly strongly on this subject because in my State of Rhode Island we have the highest percentage of foreign-born citizens of any State in the union, and we have a good bilingual program there, and we want to make sure that our youngsters do get into the mainstream as soon as they can.

I would very much agree, incidentally, with what Senator Hayakawa said about learning languages at a young age. I used to live in a city called Bratislava which was called Pojon in Hungarian and Presberg in German, and the children there were trilingual with no great problem at all, and the people were trilingual. They knew all three languages, and it did not phase them. And this idea that the children are going to have a nervous breakdown if they have to learn more than one language or think in more than one language is simply, I think, not correct.

I also wanted to recognize from my own State of Rhode Island Maria Lindia, Director of Bilingual Education in Bristol with whom I have worked for many years, and she will be a witness on Monday morning when, alas, I will not be here in Washington and be able to be with you.

Also, Mr. Chairman, I would like to submit some questions to Secretary Bell and to the other witnesses.

Senator STAFFORD. Certainly, without objection it will be so ordered.

And your statement will appear without objection in the record together with my own before the witnesses testified.

Senator PELL. Thank you.

Senator STAFFORD. Before closing the meeting, I noted you referred to squashed horse meat.

Senator PELL. It should have been chopped.

Senator STAFFORD. Chopped. It reminded me, however, that one time I was enjoying steak diablo in a foreign country until I discovered it was actually imported American horsemeat that I was eating. [Laughter.]

Since then I have stuck to hamburger.

At this point the meeting is adjourned.

[Whereupon, at 10:50 a.m., the subcommittee adjourned to reconvene Monday, April 26, 1982.].

BILINGUAL EDUCATION AMENDMENTS OF 1981

MONDAY, APRIL 26, 1982

U.S. SENATE,
COMMITTEE ON LABOR AND HUMAN RESOURCES,
SUBCOMMITTEE ON EDUCATION, ARTS AND HUMANITIES,
Washington, D.C.

The subcommittee met, pursuant to notice, at 9:40 a.m., in room 4232, Dirksen Senate Office Building, Senator Robert T. Stafford (chairman of the subcommittee) presiding.

Present: Senator Stafford.

Also present: Senator Huddleston.

OPENING STATEMENT OF SENATOR STAFFORD

Senator STAFFORD. The meeting of the Education, Arts and Humanities Subcommittee, in connection with S. 2002, bilingual education amendments, and other amendments to the bilingual education program, will come to order.

Today, the Subcommittee on Education, Arts and Humanities conducts its second day of hearings on proposals to amend the Bilingual Act.

At the outset of these hearings, this Senator emphasized that equal educational opportunity is the ultimate and inviolable goal of Federal aid to education.

On Friday, the subcommittee heard testimony from Secretary Terrel Bell, and from my eminent colleague from California, Senator Hayakawa, that supported broadening the scope of the Bilingual Education Act in order to support a variety of instructional approaches to assisting language minority students.

Today, we will hear from other witnesses who will discuss whether or not the present emphasis in title VII best serves the educational needs of limited English-proficient children.

I am pleased that our first witness this morning is my most distinguished colleague, Walter Huddleston, the distinguished Senator from Kentucky. Senator Huddleston, on his own initiative, has become a serious student of title VII and bilingual education. He holds informed and sincere views on how to effectively structure title VII, and he has incorporated his recommendations in S. 2002, which has been referred to this subcommittee for consideration.

Also, we will hear what may be a spirited discussion of this topic from a group of accomplished professionals—practitioners, educators and researchers in the field of language minority education. I look forward to their recommendations on how best to proceed to serve our children.

I am now particularly happy to welcome my long-time friend and colleague, Senator Walter D. Huddleston, to this hearing. We would be very happy to hear your statement, Senator.

STATEMENT OF HON. WALTER D. HUDDLESTON, A U.S. SENATOR FROM THE STATE OF KENTUCKY

Senator HUDDLESTON. Thank you very much, Mr. Chairman. I appreciate the opportunity to appear before the subcommittee today on legislation I have introduced to amend the Bilingual Education Act. I commend the subcommittee for holding hearings on this bill and for recognizing the need to reexamine the direction the title VII program is taking.

Before I begin my statement on S. 2002, I want to assure the members of the subcommittee, as well as those who are attending these hearings, of my concern for education. For as long as I have been in public service, from my time in the Kentucky State Legislature to my present term in the U.S. Senate, I have been a strong supporter of education programs. Education has been and continues to be an important priority for me, and I think for our country.

The Federal Government has a proud record of promoting educational opportunities for all segments of our society. From programs which provide handicapped children with an appropriate education to those which permit adults the chance to get a high school diploma, we have taken great strides in making an education available to all who want it.

Our successes, however, have been threatened by recent reductions in funding. We have been forced to closely examine every program to guarantee that it is achieving the results Congress intended. This process has been helpful, for it forces us to improve the deficiencies which we have in our programs and makes us work toward our ultimate goal of excellence in education.

Perhaps with no other program was a reexamination more needed than the bilingual education program. While most other education programs funded by the Federal Government have impressive records of success, the same cannot be said for bilingual education. Since its inception in 1968, the title VII bilingual education program has remained controversial. While there are studies which show that bilingual education has been successful, there are an equal number which question the validity of this method of instruction and question the results produced by title VII. In few other education programs funded by the Federal Government is there such controversy and mixed results.

The legislation I have introduced has generated a great deal of controversy. Some criticisms have been leveled against the approach I have suggested for revising our bilingual education program. However, along with the criticisms, there have been a number of favorable comments, and I am pleased that we have at least taken a step forward by having hearings on this matter.

Because of my work in the Senate with issues which affect immigration, I have chosen to look into the area of bilingual education. There are those who have violently reacted by saying that bilingual education has nothing to do with immigration. However, I believe there is a connection when you consider the children who are receiving services under the title VII program.

In 1978, the children's English and services study showed that 25 percent of the students who were of limited-English proficiency, aged 5 to 14—and thus eligible for title VII services—were foreign born. More recent figures seem to be unavailable. However, in informal discussions my staff has had with various title VII project directors across the country, it has been suggested that this number is much higher—perhaps even as high as 50 percent in some programs.

With approximately 450,000 students participating in title VII programs for the 1980–81 school year, these figures point to the fact that a substantial number of title VII students are immigrants who may or may not presently be American citizens. Thus, we have a Federal education program which has close connections to our immigration policies by the very number of students who are not native-born.

New census data which has just been released shows that with an increase in immigration, we can expect an increase in the number of people who do not speak English. The census figures show that the percentage of those who are foreign-born increased from 4.7 percent in 1970 to 6.2 percent in 1980. At the same time, the Census Bureau found that in 1980, 1 of every 10 said he spoke a language other than English.

Because this connection exists, it does not mean that these students deserve less of an education than native-born Americans. However, a program which closely affects these children needs to be examined to see if we are indeed helping non-native-born students achieve proficiency in our common language and are helping to rapidly assimilate them into our society.

Additionally, we need to see if we are helping, through our present programs, to assimilate native-born Americans who are limited in their ability to speak English. If these goals are not being met, then it is time to change our course so that we can provide all limited-English speaking students with an education which promotes English proficiency.

Much of the controversy surrounding bilingual education revolves around studies which have been completed on the effectiveness of title VII programs. Questions have been raised because of the negative results which many reports have produced and because of the vested interest which various language groups across the country have in bilingual education. Just because these reports are controversial, though, should not permit us to ignore them. While these studies may not have universal acceptance, they do have valuable information which can be used to improve the program's effectiveness.

Since these hearings are focusing on the Federal Title VII program, I will comment on the few national studies which have been completed. A national evaluation that was completed in 1977 by the American Institutes for Research, or AIR, found that students in bilingual education programs were doing no better at learning English or any other subject than non-English speaking students who had been placed in regular classes. Perhaps most startling, was the admission by 86 percent of the project directors that even after a student was able to function in English, he or she remained in a bilingual project. Many of the directors reported attempting to use a maintenance approach to bilingual education. This clearly was not the intent of Congress when the bilingual program was approved.

The validity of the AIR results were seriously questioned in a reexamination of the report by the National Institute of Education in 1979. A recommendation included in this reexamination stated that the intent of the authorizing legislation should be clarified. This intent has never been clarified, and the 1978 amendments expanded the definition of a limited-English proficient child. According to the new definition, approximately two-thirds of the students in title VII programs were limited-English proficient rather than less than one-third, as suggested by the AIR study.

The Department of Education itself issued a response to the reexamination conducted by NIE and refused most of what it claimed by upholding the validity of a good portion of the AIR study.

The argument over the success of bilingual education continued into 1981 when the so-called DeKanter/Baker Report was circulated. While this study was completed by an office at the Department of Education, it has never been released as an official Department report. In any event, it deserves attention as it represents the most comprehensive review of bilingual education to date.

In this report, the authors concluded that the case for the effectiveness of transitional bilingual education is so weak that exclusive reliance on this instruction method is clearly not justified. Too little is known about the problems of educating language minority students for the Federal Government to prescribe a specific remedy for helping them.

The report also found that there is no justification for assuming that it is necessary to teach nonlanguage subjects in the child's native tongue for the student to make satisfactory progress in school. It pointed out that immersion programs, which involve structured curriculums in English for both language and nonlanguage subject areas, show promising results and should be given more attention in program development.

As expected this report has also been roundly criticized. I believe these criticisms are coming because of a differing view on exactly what the purpose of the title VII program is.

Congress explicitly approved a transitional program only. Yet many involved with title VII programs have read their own intent into the program. This is best illustrated by a letter I received from Mr. Joaquin C. Armendariz of the University of Arizona's Mexican American Studies and Research Center. Mr. Armendariz said:

> It is unfortunate that you still believe that so-called transitional bilingual education is the best approach for meeting the needs of the language minority children. The reason that the minority communities and concerned educators accepted the transitional model of bilingual education was one of compromise—it was that or nothing—and not what research or commonsense would indicate. Just because the original title VII law went against the evidence from research and commonsense does not mean that we should abide by it.

If anything points to the need to clarify congressional intent with the bilingual education program, it is this quotation. In all my years in the Senate, I was unaware that we were passing laws so that citizens and school officials could do with them as they pleased regardless of the intent of Congress.

The 1981 Annual Evaluation of Department of Education programs also gave bilingual education failing marks. It is obvious that the Department sees the need for change as evidenced by the proposals which the administration has presented. I agree that these changes, together with my legislation, will help provide some direction to the bilingual program which is more in line with the original intent of Congress.

It is important to note that there are people who are intimately connected with the children being taught—parents, teachers, and administrators—who agree that the title VII program is misdirected. While these people's comments are not all grounded in educational theories or studies, they are important because they provide us with a broad picture of what is happening with bilingual education.

An associate superintendent for instruction in Michigan wrote to me that, "I have seen no evidence supporting the educational merit of bilingual education. Indeed, I have seen this whole approach as a regressive, divisive, confusing, unsound policy against the national interests of our country." Another letter from a public school teacher in Boston stated that many of the students spend their entire elementary education in bilingual programs and continue in the same into middle and high school as well.

Additionally, an article from the Sacramento Union which my colleague, Senator Hayakawa, has inserted into the record last year refers to a parents' group which sued a Long Island school system because it would not even test bilingual students to see if they were ready to be mainstreamed. The same article tells about a Los Angeles Times report from the previous year in which several thousand Hispanic parents asked to have their children removed from federally endorsed bilingual programs because they thought it had become an obstacle to learning English.

These are just a few of the examples that show dissatisfaction with the bilingual education program as it now exists. We would be doing the public a great disservice if we did not carefully consider their views and make changes where they are needed.

The legislation I have introduced would go a long way toward meeting some of the criticisms of the program and making the program more effective while reiterating the intent of Congress for a transitional program only. The bill would accomplish this by returning the definition of a limited-English proficient child to that which existed before the 1978 amendments. I believe this change is necessary because groups which are involved with title VII programs have used the present definition to maintain the child in the program for as long as they wish. If we continue to require that each child be proficient in reading, writing, speaking, and understanding English, we are not promoting a transitional program and we are insuring that limited-English speaking children will never be educated together with other American students. Indeed, there are children who know only English who have difficulty reading and writing English. If we continue to use the present definition, we will guarantee that some children will be eligible for title VII bilingual services through their whole elementary and secondary education.

S. 2002 would help place some accountability on those responsible for title VII programs by limiting the time in which children can participate to 1 year. This time limit could be extended for up to an additional 2 years, but only after an individual evaluation has been completed on each child to establish the need for continued services. However, under no circumstances would a child be permitted to participate in a title VII program beyond 3 years.

This time limit has been criticized by some because it would guarantee a termination of title VII services beyond a certain time. Yet, in view of the efforts of some to make title VII a maintenance program beyond the intent of Congress, I believe this time limit is justified.

A member of the National Advisory Council on Bilingual Education brought to my attention a 1979 study conducted in three school districts in the San Francisco Bay area which showed that Hispanic students remained in bilingual programs an average of 1.9 years and Chinese students remained an average of 2.3 years. Additionally, my staff has spoken with a number of directors of bilingual programs who substantiate these findings by saying that children remain in bilingual programs an average of 1 to 3 years. Based on this evidence, I fail to understand the objections to the time limit. Some have said that this time limit is not based on sound educational theory. However, the evidence on what is presently being done in bilingual programs tends to refute this argument.

No one can deny that there are a large number of limited-English speaking children who are not receiving services because Federal funding is limited. By placing a time limit on participation, we would be insuring that those children who have learned English will be mainstreamed. This will make a number of additional places available for children who are not now being served. Even if only 10 children out of a class of 50 are mainstreamed in 1 year, we would be opening up 10 additional spaces for children who need to learn English.

If a child has been in the program for 3 years and still lacks the ability to speak and understand English, it is obvious that the services provided by title VII programs may not be sufficient to ever teach him English. If services are needed beyond this point, the responsibility lies more appropriately with the State and local school systems than with the Federal Government. This is especially true since a large part of our bilingual population is concentrated in three States: Texas, New York, and California.

The requirement of an individual evaluation at the end of 1 year would guarantee that we mainstream any child who has progressed sufficiently to be placed in the regular classroom. Most, if not all, school districts with bilingual programs conduct yearly evaluations of a child to determine the child's progress. Some districts have more frequent evaluations. This requirement would not increase the paperwork burden that already exists for schools, and there would be no additional burden on the Federal level since the evaluations would be kept at the local school districts.

These evaluations would have to be kept on file as a condition for getting any further grants under the Bilingual Education Act. Any grantee who does not have this information available for review by the Department of Education will be unable to get further grants or could have present payments withheld until there is compliance with these provisions.

All of these provisions would help insure that the title VII bilingual program will be only a transitional program according to the original intent of Congress. They will also insure that we are providing services to the greatest number of individuals with the limited Federal funds which are available.

In closing, I believe we should also examine some of the implications for maintaining the bilingual education program we now have. Since my bill was introduced last December, I have heard numerous criticisms of its various provisions. All of these criticisms have come from Hispanic groups and representatives of Hispanic interests. This fact is interesting in that the title VII program provides services to students of over 70 language groups across the country. I respectfully suggest that the subcommittee consider examining the attitudes and concerns of representatives from many of the other language groups served to see if they share the same views of the bilingual program that Hispanics do.

I do not believe that interest in promoting foreign languages can be used to justify having the title VII program become a cultural maintenance program. This program was passed to promote English proficiency—not to promote children learning languages other than English. If Congress should determine there is a need for increased foreign language training of our elementary and secondary education students, this should be a matter for separate legislation apart from the title VII bilingual program.

I also fear we may be promoting a poor system of education in our country if we allow a language maintenance program to develop for limited-English speaking children. In 1954, the Supreme Court in *Brown* v. *The Board of Education of Topeka* declared that separate school systems are not permitted in this country. Yet, I fear if we permit the bilingual education program to continue on its present course, we will once again be returning to two separate systems of education—one for English-speaking children and one for children whose main language is something other than English. We cannot deny language-minority students an education. However, at the same time, we cannot encourage policies which promote a separate system of education. This idea is completely contrary to the principles for which this country stands, and one need only look to our neighbor to the North, Canada, to see the problems which one country is experiencing coping with a dual language society.

Mr. Chairman, I would like to enter into the record at this point a statement submitted by Ms. Rosalie Porter, of the Newton Public Schools, in Newtonville, Mass., relating to this subject.

Senator STAFFORD. Without objection, it will be entered.

[The prepared statement of Mr. Porter, with attachments, follows:]

Statement submitted by

Rosalie Pedalino Porter

When the original bilingual education legislation was enacted in 1968, it was a compassionate response to the severe problems of limited or non-English speaking children for whom equal access to education was not a reality. There was serious cause for concern for the civil rights violation inherent in such a situation. Title VII and the subsequent enactment of state bilingual education laws have done a great deal to increase educational opportunities for these children.

It is now time to review the results obtained through this new educational initiative and to consider what improvements may be necessary in light of these results. It is for this purpose that I offer my views of Senate Bill 2002 which is currently before your committee.

My involvement with bilingual education spans a period of ten years from bilingual teaching, to graduate studies, to the directorship of a Bilingual and English as a Second Language program in the Newton, Massachusetts, Public Schools. There are approximately 400 limited-English proficient students participating in this program, out of a total school population of 12,000 children city-wide. There is a wide range of economic, social and ethnic backgrounds represented in this school system which calls its bilingual program "a source of pride."

Since the Commonwealth of Massachusetts was first to pass a Transitional Bilingual Education Act (P.L. 71) mandating native language instruction for minority language children, we have had the longest experience with this educational model. Some timely changes in the legislation are needed to provide better services to limited-English proficient children.

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A serious weakness in Transitional Bilingual Education programs has been the lack of a strong, well-defined English language teaching component. Because of the disproportionate reliance on the home language as the instructional medium, the effective acquisition of English has been delayed. As a consequence, classroom instruction through the use of English in all the school subjects has been held back also, creating linguistic segregation. S. 2002 appears to offer a corrective measure by insisting that an intensive course of English language study be part of any program for limited or non-English speaking children.

Another important change should be in the Bilingual Education Act due to the recognition that the "vernacular advantage theory" has not been proven, i.e. the notion that children can best be taught only in their native language. Most recent research shows that the optimal condition for acquiring effective second language skills is the early, intensive classroom instruction in that language, delivered by well-trained professional staff providing the richest possible language environment.

There must be opportunities for each local education agency to plan its own program to serve the needs of its particular speech communities. No particular methodology should be prescribed by law, but it must be clearly understood that a special program of instruction must be provided. This would more closely follow the spirit and the letter of the Supreme Court's Lau decision. With 79 mother tongue programs currently operating in the United States, there must be some flexibility in program options, allowing communities to choose between the transitional bilingual education, an ESL model, some form of immersion program, or some combination of these. I am mailing to the subcommittee, under separate cover, an outline of one alternative model which was the focus

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of my doctoral dissertation. This program is currently being implemented in the Newton Public Schools. Using a structured immersion, modified bilingual form of instruction, students from 21 different language backgrounds, ranging in age from 6 to 22, are effectively acquiring English language skills, participating in regular classroom activities and becoming integrated with their peers. Generally, students are able to function unassisted in a mainstream classroom after 1½ to 2 years in this program.

Senate bill 2002 also imposes the obligation of testing student achievement at the end of each year and the definition of measurable goals. These are reasonable provisions that should be part of any instructional program. The one year limitation may not be realistic and it should be clarified in the law that students requiring more than one year of services would not be removed from the program too soon.

It is urgent that the Department of Education provide funding for the evaluation of alternative programs that show successful outcomes. This information should be made available, together with technical assistance, to local education agencies that request it. There should also be some effort made by the Department to survey language use and language attitudes in different speech communities in order to help determine language education policy for a local school system or for a state or federal agency. This kind of research is sorely lacking.

THE NEWTON PUBLIC SCHOOLS
100 WALNUT STREET
NEWTONVILLE, MASSACHUSETTS 02160

DIVISION OF PROGRAM

May 13, 1982

Senator Robert T. Stafford
Senate Office Building
Washington, D. C.

Dear Senator Stafford:

In my statement to the Subcommittee on Education during the hearings on the Bilingual Education Act, which Senator Huddleston read to your committee on April 26, 1982, I offered to submit further material for the record.

Enclosed is a chapter from my doctoral dissertation entitled, "A Structured Immersion Bilingual Program for Teaching English as a Second Language." Based on the latest research in applied linguistics and second language teaching, it offers an alternative plan which is currently working well in our city.

Should you or your committee require further information or advice, I will be happy to be of assistance.

RP/ da
Encls.

Sincerely yours,

Rosalie Porter

Rosalie P. Porter
Coordinator of Bilingual
and English as a Second
Language Programs

R. Porter
Newton Public Scho

CHAPTER III

A STRUCTURED IMMERSION BILINGUAL PROGRAM FOR TEACHING ENGLISH AS A SECOND LANGUAGE

Introduction

The program model I present is designed to facilitate the acquisition of English language skills for minority language children entering an American public school system. The primary goal of this program is the integration of these students into the mainstream classroom for instruction with their native English speaking peers. The home language will be used as a secondary but not as the initial medium of instruction. It will be employed for supportive purposes in the early months of the child's entry into the program; for counselling; for conferences with parents, school principals and other classroom teachers; for language and culture enrichment classes, which will be available on a selective basis.

Fundamentally, if the intent of bilingual education laws _is_ the learning of English skills for access to a full educational program, _and_ the research in applied linguistics indicates very strongly that the best way to achieve this is to have as much exposure to the second language as possible—with a planned, structured, language environment—_then_ it must follow that the best design for language learning is some form of immersion plan. It simply makes sense that schools concentrate immediately on the business of teaching the second language immediately, systematically and with all the resources of staff and materials to make successful outcomes possible for the greatest number of students. The best elements of all the models described in the last chapter can be combined to produce a system that accomodates children of various languages, different socioeconomic backgrounds, abilities and educational potential.

With the entry of so many new groups from the Caribbean, Southeast Asia, Central Europe and the Middle East, very few school systems still have bilingual programs catering to only one or two language groups. Rather than struggling to implement full bilingual programs for every language group, it is possible to conduct an effective second language program with the flexibility of selective mother tongue instruction predicated on local conditions and individual community aspirations.

Another fundamental concern that underlies program planning is the multicultural aspect of the population. Addressing the needs of such a variety of ethnic backgrounds can be skillfully handled to coordinate with the multicultural backgrounds of the native American students. There is the occasion, in multicultural education, for creating a bond between the linguistically different student learning about the elements of the majority culture, and the English language dominant student whose own ethnicity can be studied and compared with others to make him more sensitive to cultural similarities and differences. The second language can be the positive force for integration and accessibility, while the various cultural and ethnic differences treated intelligently in the classroom will foster greater self-respect and positive motivation. The cultural component is a feature of the program that is to be addressed by different strategies suitable to the different age and grade levels.

Because the existing research on bilingual education results available on programs in the United States has so far not demonstrated any clear advantages for the "vernacular advantage" premise, this program model is worthy of consideration. When I assumed the directorship of an existing bilingual education program, I found the opportunity to effect changes in program design. A supportive administration and school board gave me the necessary approval to develop and install an innovative plan.

The population for which I developed this plan is not unique or exotic, except in some minor ways. In a student population of 12,000 city wide, there are approximately 400 minority language students from 22 language backgrounds, with the major language groups being Italian, Mandarin Chinese, Spanish, Vietnamese and Hebrew. They are almost equally divided among three socioeconomic groupings: refugee children from low income or publicly assisted families, many with gaps of several years in their schooling; first and second generation children of low income immigrant families who retain their mother tongue in their homes; children of visiting professors and businessmen of middle and upper incomes. A program that provides successfully for such a disparate group of children should have some generalizability to other communities.

The elements of the different approaches to bilingual education which I incorporated into this model are:

1. Multi-cultural recognition and some mother tongue maintenance from the TBE model,
2. Second language as first medium of instruction from the Canadian immersion models,
3. Strong staff training in applied and socio-linguistics from the ESL model.

But none of these models appeared to meet all the needs I perceived because:

1. The TBE model does not provide sufficient opportunities for effective second language acquisition, lacking the professional ESL staff and focused disproportionately on L_1 instruction.
2. The Canadian immersion model promotes full bilingualism, which is ideal and workable in a bilingual country but not suitable in a linguistically heterogeneous country such as ours.
3. The ESL model comes near to meeting all the conditions but does nothing for the home language, thereby wasting a valuable resource.

The main design features of my program which will be described in detail are:

1. Central screening procedures for identification, assessment,

and placement of students--elementary and secondary

2. Bilingual/ESL centers--elementary and secondary
3. Grouping for instruction by age, language proficiency and ability levels--elementary and secondary
4. Classroom management--the ESL Resource Room
5. Curriculum objectives--elementary and secondary
6. Professional staff qualifications
7. Auxiliary staff--teacher aides, counsellors, psychologists, volunteers
8. Special programs for pre-school, summer school, vocational education and adult education
9. Program evaluation--accountability

Central Screening Procedures

The very first step in the registration of new students of limited or non-English speaking proficiency is to be conducted in one central office and not delegated to the office staff in each school building. This first step is so important that it cannot be emphasized too strongly. Without procedural guidelines that are accepted and followed by all school personnel, a chaotic situation develops between the time a new student arrives and the time, days or weeks later, when that student is identified, tested and placed in the suitable educational situation that responds to his particular background and ability level in all respects.

The following series of steps constitutes a procedure that is in place and working very well.

1. Entry procedures for students whose first language is not English--elementary schools:
    - a) Identification: Registration at the Attendance Office and Bilingual Department Office.
        - (1) Documents examined
        - (2) Parents interviewed--language dominance of students is established
        - (3) Bilingual program described to parents
        - (4) School placement cleared with principals of appropriate schools
        - (5) Grade and school placement determined
        - (6) Biographical data sheet prepared, one copy kept in Bilingual Office; one copy sent to receiving school
    - b) Assessment: Student enters appropriate school and is:
        - (1) Assigned to a homeroom
        - (2) Observed by his teacher for language use
        - (3) Tested by a bilingual teacher for language dominance and English proficiency within three days of arrival
        - (4) Scheduled for instruction, planning being done by the bilingual teacher and classroom teacher together

c) Placement and record keeping:

(1) Letter sent to parents by principal advising of placement in Bilingual Program, with parent approval in writing requested

(2) Record card is started by bilingual teacher showing date of entry into TBE program; criteria on which bilingual education is recommended. Card is kept in student's cumulative folder and entries are recorded, at the end of each year, of test data and reading texts used

(3) Information on student progress is reported to parents, on regular progress report form, in the home language, when necessary

A biographical data sheet containing the following information is prepared and sent to the receiving school.

Student Registration and Referral Data

Biographical Data

Student Name ______________________ Date of Birth ___/___/___
Mo. Day Year

Address ______________________

Telephone Number ______________ Sex ____/____
M F

Parent/Guardian/Sponsor Name ______________________

Length of Time in U.S. ____________

Address ____________ Previous School ______________

Telephone Number ______ Attended from ________ to ________

Grade ______________

Type of Document ______________________ Number __________
Visa, Passport, etc.

Expiration Date ________ Document Examined by __________

Medical Data

Medical forms examined by ________________ Date __________
School Nurse

Approved Not Approved

To complete student registration, the following is necessary:

______________________ ______________________

______________________ ______________________

Language Data

Primary Language ______________ Other Languages Spoken ________

____

Tested by ESL Teacher ________________________ Date ___________

Test Used _______________________ Score ______ Level ______

English Language Proficiency: None - Beginner

Limited - Intermediate

Not Limited - Advanced

Recommendations of ESL Teacher

Placement in _______ periods of ESL daily

Placement in the following courses: __________________________

____

____

____

____

An academic record card is started for each new student on which information is maintained for the permanent folder. It is updated periodically.

Bilingual Student Record

Name ______________________________ Birthdate ____________

Place of Birth ________________ Home Language ____________

School ____________________ Grade _____ Date Entered __/__/__

Identification:

Interviewed by __________________ Date __________________

Tests:

Language Dominance______________ Date ______ Score/Level___

English Proficiency ____________ Date ______ Score/Level___

Placement in TBE Program: Date __________________

Cognitive Assessment - Yearly Evaluation:

Tests: _________________________ Date ______ Score/Level___

_________________________ Date ______ Score/Level___

_________________________ Date ______ Score/Level___

Exit from TBE Program:

Recommended by __________________ Date __________________

__________________ Date __________________

Criteria - Language Test __________ Date __________________

Score/Level____

Other ______________________

____

Unless there is a central place and a consistent plan for finding and evaluating students for placement, the opportunities for error are many. This makes a new student's school adjustment more difficult that it needs to be. In the past I have witnessed the placement of students in a bilingual program because their last name was Hispanic; arbitrary decisions to include or exclude students, made by school personnel without sufficient understanding of minority language students' needs; placement according to parent evaluation of their children's language proficiency, etc. In all cases where uninformed judgments prevail, there will have to be much more effort invested in correcting unsuitable placements, once the student's problems begin to emerge. It may take some time and public relations efforts to earn the acceptance and cooperation of school personnel in following these procedures but it is important to achieve this as quickly as possible.

Bilingual education is a voluntary program, subject to parent approval. Children may not be enrolled in this program without parental consent, and may also be removed from it on written demand. Sometimes new families will ask that their children be placed in a regular classroom and not be given any special help, because they will easily "make it." When the bilingual program is explained to them fully, most parents choose to accept it. In my first year as program director, before a central registration process had been implemented, there were a number of messages from school principals who registered limited English speaking students, stating that the children's parents felt that no special help was needed. But within a few weeks, they were calling me to say that severe problems had developed as the students were not learning English quickly enough to have any idea of the classroom instruction in that language. This past fall, September 1981, I personally interviewed every family and registered 115 new students. Every parent understood the characteristics of the bilingual program and all but two families agreed to this placement.

After interviewing the child and family and determining language dominance, either through the interview or by means of a language dominance test, the evaluation of English proficiency must be done. Certain categories are easily established, for instance, the language dominance of a child who has no English language skills at all does not require testing but will be evident from the initial interview. Nor will that child need an English proficiency test to prove that no English skills are present. That student is labelled as a beginner and is placed accordingly.

When the family brings documents from the previous school of whatever country, these are valuable in determining the student's achievement level in his own language. In the case of refugee children who arrive without documents and who may have missed several years of schooling, it is necessary to establish what the child's minimum competencies are in reading and writing in his own language and the level of mathematical skills. This is especially difficult when tests are not available in some of the low-incidence languages such as Farsi (Iran), Pushtu (Afghanistan) etc.

Students are placed in regular classrooms with other children of the same age, within a one to two year span. Every effort is made to place students in a school and classroom situation that is best suited to the individual's educational and social needs. Whether this will be a neighborhood school or an out-of-district placement, depends on the size of the city and the size of the minority language population.

Interpretors are necessary for helping the interviewer and for helping administer tests of math and reading skills, and translators are needed for on-going communication between school and families. A master list of qualified interpretors and translators should be maintained for this purpose. It is not sufficient to rely on a family friend or neighbor to fulfill this delicate role. When there are many languages to contend with, the maintenance of an active list requires a considerable effort. The search should encompass all school personnel, community volunteers, parents of bilingual students, older students already exited from the bilingual program, and foreign students enrolled in local colleges or universities.

At the secondary level, the registration procedures are basically the same but with the difference that course scheduling must be done with the assistance of the school guidance department. The entry procedures for students whose first language is not English--secondary schools entry procedures follow on the next page.

1. Entry procedures for students whose first language is not English--secondary schools:
   a) Identification: Registration at the Attendance Office and Bilingual Office
      (1) Documents examined
      (2) Parents interviewed--language dominance of student is established
      (3) Bilingual program is described
      (4) Grade and school placement determined
      (5) Biographical data sheet prepared, one copy kept in Bilingual Office, one copy sent to receiving school
   b) Assessment: Student enters district school and is:
      (1) Interviewed by a guidance counsellor
      (2) Tested by a bilingual teacher for language dominance and English proficiency within one week of arrival
      (3) Scheduled for appropriate courses
   c) Placement and record keeping:
      (1) Letter sent to parents advising of placement in Bilingual Program, with parent approval in writing requested
      (2) Record card is started by bilingual teacher showing date of entry into TBE program; criteria on which bilingual education is recommended.

Card is kept in student's cumulative folder and entries are recorded at the end of each year of test data and reading texts used

(3) Information on student progress is reported to parents in the home language, when necessary, on regular progress report form

The above steps are followed when new students arrive during the course of the school year. An enrollment process has been designed for junior and senior high school students who arrive at the beginning of the school year and it is as follows:

1. A registration day for each secondary school is designated, one week before schools open
2. All new students for those particular schools are scheduled for a half hour appointment on that day
3. School Guidance Counsellors, Bilingual Coordinator, Attendance Officer, and interpretors set up a registration center
4. Students have their documents examined, are interviewed for language dominance and English proficiency and are counselled on the most suitable schedule of courses
5. Students are invited to a day of new student orientation activities, before schools open. The bilingual or ESL teacher located in that school will guide the orientation

By using this procedure, new students are very well served as far as completing the necessary paperwork and they are also slightly acquainted with their new school and some of the staff before entering the somewhat daunting American high school scene.

Bilingual/ESL Centers

In cities with large concentrations of minority language students, each elementary school may be organized for bilingual instruction. In places where these students are scattered, a few in each school district, it is necessary to designate certain schools that are strategically located, as bilingual center schools and provide transportation for the students for the one or two years required for second language competency to be achieved. Later the students will attend thei neighborhood schools. This holds true for secondary as well as elementary schools. Enough students should be gathered for instruction so as to avoid the wasteful practice of sending itinerant teachers to give short tutoring sessions. For children, second language learning is best done in group lessons where as much peer interaction as possible is provided.

If there is a magnet program in the city, it would be a worthwhile plan to locate the bilingual centers in the magnet schools. Whenever there is an occasion to identify the bilingual program as enrichment and not as a remedial or compensatory program, the opportunity should be seized.

According to the mix of languages and the number of speakers of those languages in each particular city, the center schools at the elementary level may be of two types. One type may house one language group, with a bilingual teacher to provide orientation in the mother tongue and ESL instruction. Another type would be a purely ESL center, if there are many low incidence languages represented, with an ESL teacher and some teacher aides who are native speakers.

When I designate a person as a bilingual teacher I mean it in the true sense of the word, that is, a qualified, certified teacher who is capable of giving instruction in English and one other language. In this program model all bilingual teachers are also trained in ESL theory and methodology, in addition to the aforementioned qualifications. This is described more fully in the appropriate section.

One bilingual teacher or one ESL teacher, with aides to assist, is responsible for providing instruction in all language skills for up to 25 students in an elementary school. Classroom management will be explained in a later section. The organization of the bilingual instruction is along the lines of a resource center. According to English language skills, students are classified beginners, intermediate or advanced. Grouping for instruction follows that classification and the student's age.

Two types of center school programs are suggested according to the linguistic distribution in the area, a bilingual support model or an ESL model. In schools or cities where there are large enough groups of children from the same language background, the professional staff will be certified in the native language as well as having ESL training. Students receive orientation in their home language and minimal support in content areas. Second language instruction is the major focus from the beginning, but just enough native language will be used in the first few months to facilitate the learning of concepts. This is especially useful for the upper elementary students and secondary students who are expected to cover much more academic content and are in greater danger of falling behind. This transitional support allows for continuity in the student's academic progress. It builds on the factual knowledge already acquired in L_1, using L_1 as the medium of instruction selectively and with decreasing frequency.

Elements of the student's culture are included in the planning of all lessons and a continuing effort is made to coordinate this with classroom teachers by providing them information regularly. As important as it is for new students to gain a balanced understanding of the dominant culture through their school experiences, it is just as important that students of the dominant culture be taught about the different cultural backgrounds of their classmates. The daily contact in regular classrooms is important as are the planned activities of bilingual and classroom teachers to promote cross-cultural understanding.

Where a large number of students from the same language background exists, there is the potential for L_1 maintenance. The plan for this activity follows these stages:

1. Use of L_1 in orientation, extensively during the first few days

2. Use of L_1 for content teaching, as long as necessary, but generally not exceeding 6 months
3. Use of L_1 for language maintenance, 1-3 periods per week, throughout elementary school years

This is a valuable characteristic of the structured immersion model that is not generally included in immersion programs. It is a feature that may be difficult to promote in times of very tight budgets, but is well worth fighting for. To neglect the home language skills which students already possess is to waste a potential resource. But, automatically assuming that every minority language student must become fully bilingual and achieve biliteracy is unrealistic. I believe the model I am describing is flexible in this respect, providing first for the second language learning that will make the students bilingual (for they already are monolingual speakers of one language when they come to school) and secondly allowing for the development of literacy in the L_1 for those students who have the aptitude and motivation to do so.

We are providing enrichment classes in the major languages of Italian, Spanish and Mandarin Chinese, and inclusion in these classes is decided by agreement between the parents, bilingual teacher and classroom teacher. Bilingual parents have made a strong commitment to this arrangement as they have stated that they wish to see the home language maintained until the junior high school years, when the students can then elect to continue language study through regular foreign language classes.

Where the minority language students represent several low-incidence languages, the use of L_1 is not a reasonable option. In that case, an ESL only model can be implemented. Students, again, are placed in regular classrooms by age and are scheduled for 1-3 hours daily in the ESL resource classroom. On arriving in the new school, the student may spend most of the first few days in the ESL resource room for orientation. This is an important function of the minority language program that should not be left to the regular classroom teacher. The ESL teacher provides the new student with survival vocabulary and communication skills in the L_2; helps him become acquainted with other minority language students in the group who are sharing his experience; acquaints the student with classroom procedures; takes the student on an exploratory tour of the school, taking sufficient time to promote as much comprehension as possible of the different areas, and their labels, i.e., bathrooms, library, gym, office, etc. Such a simple expedient as having small, colorful placards on the different parts of the school, labelling the areas in all the languages of the students serves two purposes: basic information for non-English proficient children, and promoting awareness among all students of the multicultural nature of the school population.

Instruction in ESL will be provided 1-3½ hours daily, depending on age and proficiency levels. A recommended schedule of the hours, to be alloted to each group is as follows:

Grade	Beginners	Intermediate	Advanced
K	25 minutes daily	25 minutes 3 times a week	
1	1½ hour daily	1½ hour daily	1 hour daily
2	2 3/4 hours daily	2 3/4 hours daily	1 hour daily
3	2 3/4 hours daily	2 3/4 hours daily	1 hour daily
4	3½ hours daily	3½ hours daily	1 hour daily
5	3½ hours daily	3½ hours daily	1 hour daily
6	3½ hours daily	3½ hours daily	1 hour daily

Students in the lower grades will be exposed to some language arts activities in their regular classrooms, in addition to art, music, physical education, recreation and meal times. In the upper grades where subject matter instruction is more accelerated, students spend more time in the ESL resource room where science, mathematics and social studies units will be part of the ESL curriculum. They will have the integrative experiences in their regular classrooms of taking part in art, music, phycical education and sharing meal-times. Each student's capacity to handle grade level instruction in each subject.will determine when that student's schedule is to be modified to allow him to work in a mainstream classroom group.

When students are judged capable of performing classroom work without special support at their grade level, then they no longer need the services of this ESL program. Various indicators are referred to in making this judgement:

1. Test data - reading and language skills
2. Academic performance
3. ESL teacher recommendation
4. Classroom teacher recommendation

The bottom line should be that any student exit the program if he has developed the L_2 skills sufficiently so that he can be included in a pre-existing reading group in the mainstream classroom. Student progress should be monitored for the following year so that ESL support could be reinstated if necessary.

On the secondary level the basic schedule recommended for limited English proficient students, with additions to allow for individual circumstances, is as follows:

NEP (Non-English Proficient)

1. 2 or 3 Blocks of English as a Second Language
2. 1 Basic Math (a native language tutor will help in math class, so students should be grouped in one class in the fall semester)
3. 1 Physical Education (No waiver of physical education should be given except for physical reasons. This is an excellent opportunity for social integration and language development in an informal setting)
4. 1 Period in an art, craft, or music class

LEP (Limited English Proficient)

1. 2 Blocks of English as a Second Language (to be reduced to 1 in the second semester)

2. 1 Math (according to skill of student)
3. 1 Physical Education
4. 1 Social Studies Tutorial (small group instruction in American History, possibly with the help of a native language tutor

These are very tentative models. The variables that we must consider are the educational background of each student in his native land and the years lost by refugee students, in addition to the different learning styles and abilities, and problems of adjustment.

In the past, one of the major problems for high school students of limited English was that frequently they were scheduled for inappropriate courses by uninformed guidance counsellors. Students with no English language skills were placed in advanced science or math courses or remedial English classes for the emotionally disturbed, and other such gross misplacements. Having coordinated the efforts so that language data is obtained before course selection is done makes for a more effective process--to the students' benefit.

One bilingual or ESL teacher can deliver English language instruction in all four skill areas--listening, speaking, reading and writing--for up to 25 students. Native language aides are essential for consistency in academic learning during the transitional period and also for doing remedial work in basic mathematics, science and social studies for non-literate students and for refugee students who have missed some years of schooling.

L_1 maintenance is promoted by cooperation with the foreign language department. Whenever possible, students are encouraged to register for an advanced level literature course in their L_1 (if the language is taught in the particular high school). Another possibility is that the bilingual department offer an advanced course in the language and literature, when there are sufficient numbers of students to warrant it.

During the first year of this transitional program some L_1 support is helpful and the recommended way to provide it is for native speaking teacher aides, working under the direction of the classroom teachers and the ESL teacher, to reinforce the content teaching. However, a successful secondary school program can be carried out without it. It can be done with a good ESL teacher using suitable methods and materials and a schedule that allows a heavy concentration on second language instruction. The content of the ESL classes will be drawn from the high school curriculum and not be only grammar-based.

Flexible instruction time is essential. A full time ESL teacher will have at least one block set aside for individual tutoring of intermediate or advanced students. This is where the structured immersion program becomes personalized to adapt to each student's needs. As each student develops sufficient language skills to participate in a class in science or history, or an elective course, the ESL teacher is a resource for helping him achieve mastery of the content by simplifying the written discourse in that discipline. This technique is the basis for the current vogue called ESP or EST (English for Special Purposes; English for Science and Technology). Rather than translating all high school curriculum into the students' home languages, this approach is not only feasible but ultimately of more practical value. For, after all, to deliver biology or chemistry instruction in Vietnamese or Spanish might have short term benefits, but there would still have to be a further ability developed to demonstrate knowledge of science in English at a later time, in pursuing further course work or higher education, or a job. Therefore, it is more efficient to concentrate on the second language learning even at the cost of delaying some content work for one semester.

Cultural elements will be included in the planning of the secondary curriculum and special programs of extra curricular activities will be implemented to help integrate the students into the life of the school and to make native speakers aware of these students in some very positive ways. These programs will be described in a later section.

Grouping for Instruction

All new students are classified in three categories of English proficiency, based on data collected in the interview, documents, and language test. A fairly good instrument for testing listening, speaking, reading and writing skills in English for Kindergarten through twelfth grade levels is the Language Assessment Battery, published by the Houghton-Mifflin Company. This instrument was developed for, and normed on, minority language students in urban public school settings. It is a good, rough indicator of English language skills, but a diagnostic instrument. There are many other English proficiency tests on the market, but I cannot recommend any others as being superior.

At the secondary level the Diagnostic Test for Students of English as a Second Language, written by A. L. Davis and published by McGraw-Hill, is useful for students' reading and writing skills in English to determine entry level competencies. The three basic categories are beginner, intermediate and advanced, and they correspond to the following characteristics:

1. Beginner: The student has little or no English proficiency. Intensive ESL in all four areas is recommended.
2. Intermediate: The student has some proficiency in understanding and speaking English, but little or no reading or writing skills. Intensive ESL in all four areas is recommended.
3. Advanced: The student is fairly proficient in understanding and speaking English, but is still limited in reading and writing skills. Some students may arrive with good reading and writing skills, but very little proficiency in spoken English. In either case, some ESL instruction is recommended for improving necessary skills.

The recommended instruction for elementary school students should adhere to the following pattern:

1. Kindergarten: Since the regular kindergarten program is devoted in large part to language arts, a daily ESL lesson of 25 minutes of small group instruction will suffice. In the first few weeks of school, the L_1 may be used to facilitate school adjustment and to help teach basic concepts, such as colors, shapes, numbers, etc.
2. Grade 1: All ESL students are given a 1½ block of ESL which includes oral language development, reading, and writing. Where bilingual/ESL teachers are present, a further 45 minute period of instruction may be offered in the L_1 to support content area teaching.
3. Grades 2-3:
    a) Beginner and intermediate ESL students receive two hours of language arts, reading, writing, spelling, and handwriting daily. An additional 45 minute period for each grade is provided to support content area classes. Where bilingual staff is employed, this instruction may be conducted in the L_1 of the students, on a gradually decreasing basis.
    b) Advanced students: One hour of small group, individualized instruction daily, concentrating on reading and writing skills and supporting content area.
4. Grades 4-6:
    a) Beginner and intermediate ESL students: Two and a half hours daily of language arts, reading, composition,

spelling, and handwriting. An additional hour of instruction for supporting content area classes is provided for each grade level. Where bilingual staff is employed, this instruction may be conducted in the L_1 of the students, on a gradually decreasing basis.

b) Advanced students: One hour of small group, individualized instruction daily, concentrating on reading and writing skills and supporting content area.

The ESL teachers will form instructional groups across grade levels, gathering beginners together from two or three grades for all the language teaching areas. Then students will be given the additional time for addressing the content areas particular to their grade so that they are following their own school curriculum as closely as possible. As they develop the skill- to successfully participate in the content area lessons, they are mainstreamed for that subject. It is important to have this kind of flexibility because language skills develop at different rates in different children and there are also periods of rapid progress and plateaus within the same child. So it is best to preserve the individualized aspect of the program by not having set times for mainstreaming students in each subject, but by keying the move to the readiness of each student, at appropriate times during the school year. It could be effected at the beginning of a new report period, for instance, or when a new unit of study is beginning.

At the secondary level, students classified as beginnerw will be scheduled for three periods of ESL daily, which will provide an accelerated course in all four language skills. Intermediate level students will be in two ESL periods daily for the same program of instruction. Advanced level students will take one period of ESL daily and the concentration will be on writing style and critical approaches to literature. Grouping for instruction will be entirely related to proficiency levels and not to grade level or age.

Classroom Management: The ESL Resource Room

A classroom capable of accomodating an average of twenty students working in up to four small groups should be established as the locus for ESL instruction. The classroom is organized into learning areas and instruction will take place concurrently for different ability levels. A great deal of planning is needed to make all the activities proceed smoothly with a minimum of wasted effort. Because I have organized and delivered instruction in such a manner myself, and I have visited similar classrooms in other locations, I can confidently propose this system to my colleagues.

In order to provide the best physical set-up, all the equipment found in a regular classroom should be available. With as many as possible of the following additional items:

1. Room dividers in the form of double chalkboards or bulletin boards
2. Listening stations with three carrels for language lab use

3. Chart stands
4. Sink and stove, if possible
5. Audio-visual equipment such as tape recorders, phonograph, individual film strip projectors, movie projector, overhead projector
6. Learning machines such as Language Master, Systems 80 Programmed Learing Machines, Audio-Vox computer terminals
7. Movable chairs, desks, or tables for regrouping

There must be enough space for several small groups to have individual lessons. Four to five foot tall dividers that are either chalk boards or bulletin boards serve to separate learning areas and as the focus for visual materials on display. Movable furniture is needed so that occasional re-grouping can take place for small group lessons or whole group activities such as film viewing or singing and dancing. Setting up this kind of classroom requires above average organizational skills and the capacity for teaching several ability levels at the same time with confidence and control. One teacher can, within the 1½ - 2½ hour ESL block, give lessons in oral language to one group and then assign them independent activities in art, writing or linguage lab; move on to a second group and then a third, following the same pattern. There must be prepared materials on hand for each activity--art supplies, work sheets, tapes, language games, supplementary readers, etc. And these materials must be so organized that they are accessible to students and kept in good order.

In the first week of school, in addition to helping students become oriented to their new school and teaching them survival English skills, a concerted effort must be made to train them in classroom procedures. In due course, they are also instructed in the use of the various mechanical learning aids in the classroom. The time spent in these preliminary activities is not wasted as it lays the groundwork for the diversified learning possibilities in an orderly and creative environment. This kind of system also teaches self-reliance and allows students to take responsibility for their own achievement.

Pacing is important in this type of teaching routine. Activities must be structured so that oral lessons alternate with quiet reading or composition, so that physical activities such as dancing, dramatizing situations, singing, etc. alternate with language lab or film viewing, so that whole group activities alternate with small group lessons or independent work.

Even though students from two or three grade levels may be clustered together as beginners, they will soon develop a sense of camaraderie as they work together and begin to experience success in communicating with each other and with other peers and adults. When new students arrive during the school year, as they inevitable do, they will find an established ambience o- academic and social functions. They will not only be welcomed by the ESL teacher, but they will be assisted by the ESL students who will derive personal pride from this helping role.

The classroom must be filled with visual materials, from bulletin board displays to mobiles, charts, wall hangings, etc. As much as possible, labels should be attached to classroom equipment and other items in the room. Student work should be displayed constantly and all displays should be changed frequently. Everything in the learning environment can be an occasion for motivating language learning and the richer the environment, the better.

If there is a sink and stove in the classroom, then the teacher is fortunate indeed for among the most successful ESL lessons are those involving cooking, flowers and vegetable growing, papier maché making, and science experiments. Otherwise, it is possible to use a hot plate or small electric oven and the children's lavatory for wash up. Cooking lessons have been some of the most popular units in my ESL class. With good planning, they can develop not only reading, writing and verbal language skills, but teach sequential patterns, nutrition, cultural traits, table manners, and safety in the home.

The only restrictions on what can be accomplished in a mult-level ESL classroom are the ingenuity of the teacher and the physical limitations of space or resources.

Curriculum Objectives--Elementary and Secondary

A sequential, structured ordering of language skills to be mastered at each of the three levels identified in the last section provides the master plan for ESL instruction. Without a guide of this sort, which should be developed and agreed upon by the teaching staff, there will be very uneven results--sometimes excellent, sometimes mediocre.

Bearing in mind that the ultimate goal is to teach communication and not just the memorizing of verb conjugations or a list of vocabulary words, I have formulated a hierarchy of objectives for beginner, intermediate and advanced levels. This is certainly not a totally original concept or definition of goals for, in my years of teaching and research, I have examined the ESL curricula of many school systems in this country and in Europe. I believe it can be useful as the basic teaching plan, the point of departure, beyond which many more learning experiences will be provided. The curriculum model for all ESL instruction can be adapted to elementary or secondary level students. Older students will be given expanded opportunities to practice each unit with more complex grammatical patterns and with texts and materials suitable to their age and academic level. Younger students will work on the same objectives with simpler grammar and appropriate materials. Beginners should be able to master adequately the following objectives. There is no optimal time for the acquisition of the skills described. Depending on the age and prior experience of each student, it may take a few weeks, a few months, or longer.

1. Beginner Objectives:
    a) Ability to understand and respond to greetings and information questions; acquire basic survival vocabulary

b) Use words to identify objects and actions demonstrated by the teacher

c) Follow simple one- or two-step oral directions

d) Respond to oral questions:

   1) use a yes/no answer

   2) Use a one-word answer

   3) Use a short, simple answer

e) Ask questions orally to gain information

f) Interpret and use various concepts of time and weather:

   1) Ordinal numbers

   2) Morning, afternoon, evening, day, night

   3) Calendar, including day of week, date, month and year

   4) Hours and half hours on the clock

   5) Weather

g) Classify objects and pictures by one or more of the following attributes:

   1) color, number, shape, size, and function

h) Use the mechanics of written English:

   1) Top-to-bottom, left-to-right orientation

   2) Letters, words and sentences

i) Identify, name and write upper and lower case letters; identify and name numerals (0-100) presented in random order, and higher numbers for older students

j) Use the proper headings on assigned papers, including name, month, day, year, and subject

k) Identify written words already known in oral language, using context, initial sounds, and word structure (especially plural endings and tense markers)

l) Produce sentences orally and in writing following the basic sentence patterns:

  1) N + V
  2) PN + V + N; N + V + N
  3) N + Vbe + Adj; P + Vbe + Adj.
  4) P/N + NV + N/Adj.
  5) N + V + Adj.
  6) Question forms
  7) Negative forms

m) Use capitalization and punctuation appropriate to grade level

n) Follow simple written directions

o) Alphabetize, to the first- and second-letter, words appropriate to student's instructional reading level

2. Intermediate Objectives:

a) Use synonyms, antonyms, and homonyms (homophones) orally and in written form

b) Answer questions orally and/or in writing with specific information from a selection read by the students or the teacher,or presented in other media

c) Use telephone book and telephone for personal and/or emergency use, such as:
   1) calling fire department
   2) calling police
   3) calling doctor

d) Continue to improve in conversation and composition:
   1) Vary and refine word structure
   2) Demonstrate appropriate intonation and stress
   3) Modify sentence structure

e) Give simple one- or two- step directions, orally and in written form

f) Divide familiar words into syllables using an accepted method

g) Write a personal letter, an invitation, a thank you note, a sympathy note, using a commonly accepted style. Address an envelope to go with each

h) Recall sequence of events from stories heard or from personal experiences

i) Sequence given sentences chronologically or conceptually as appropriate

j) Explain what happened in the beginning, middle and end of the story.
   1) Explain complete subject and predicate
   2) General format of a paper: introduction, body, conclusion

k) Identify the main idea in verbal or written discourse

l) Predict the outcomes of stories heard or presented in different media

m) Change direct speech to indirect speech and do the reverse

n) Write a story that tells who, what, when, where, why and how, using logical organization

o) Determine the meaning of unfamiliar written words using syntactic clues, such as letter sounds and word structures (roots, affixes, and inflections) and general context. Begin to recognize all parts of speech

p) Write a business letter:

    1) Include appropriate heading/greeting

    2) Compose a two-or three sentence body explaining who, what, when and where

    3) Write a complimentary closing

q) Use title page, table of contents, chapter headings, and glossary to find information

3. Advanced Objectives:

    a) Receive and give verbal messages

    b) Follow multi-step written and oral directions

    c) Give multi-step oral and written directions

    d) Identify and distinguish between main ideas and details in material read

e) Write directions using chronological order

f) Write a paragraph:

  1) Use a topic sentence

  2) Include supporting details

  3) Have an appropriate concluding statement

g) Differentiate, between fact and opinions, and between fantasy and reality in written or verbal discourse

h) Outline and write a short report to prove a statement, support an idea/theme, or draw a conclusion

i) Summarize familiar material presented orally and/or in writing

j) Draw conclusions from material presented orally and/or in writing

k) Paraphrase specific information orally and/or in writing

l) Identify types of literature: drama, novel, poetry, fiction, biography, story, essay

m) Understand and identify basic literary terms such as setting, character, plot, protagonist, antagonist, first person, third person, etc.

n) Reorganize the following organizational patterns in familiar material:

  1) cause and effect

  2) chronological order

  3) comparison and contrast

  4) inductive or deductive
  5) definition, and enumeration

o) Interpret figurative language encountered in reading material and/or literature presented orally

p) Give a speech:

  1) Choose a topic
  2) Outline main idea and supporting details
  3) Plan an appropriate ending

q) Learn to proof read; self-correct written discourse; learn elements of style

r) Become familiar with the format of standardized tests

A summer 1982 work project for my professional staff will be the writing of materials, coordinating grammatical patterns, teaching materials and strategies with the objectives for each level.

Professional Staff Qualifications

At the present time there is no certification requirement for teachers of English as a Second Language in the Commonwealth of Massachusettts, but guidelines are being developed for 1982 or later. After reviewing the certification requirements in other states, it is evident that certain qualifications are common to most. I propose the following criteria as the essential entry level skills for ESL teaching. For staff already involved in ESL teaching, but lacking the training, a period of three years should be allowed for the completion of these requirements.

1. Elementary Teacher Certification at the appropriate level--

early childhood, middle grades, etc.

2. Secondary Teacher Certification in English language arts or reading
3. Teachers of all levels should have:
    a) Nine credits in linguistics, including phonetics and any two of the following: applied linguistics, sociolinguistics, psycholinguistics, history of the English language
    b) Six credits in theory and methods of teaching reading: developmental, diagnostic, or reading in the content areas
    c) Three credits in methods of teaching ESL
    d) Bilingual competency is very desirable, but not essential. Study of another language and its structure is recommended.
4. ESL Teachers who are non-native speakers of English should have:
    a) Fluent command of English to near-native proficiency and at least fifteen credits in the English language and literature

No other single component of an instructional program is as crucial to its success as the quality of the professional staff. If every other element were well-planned--program, classroom set-up, textbooks, audio-visual materials, etc.--and there were not a competent teacher to execute the plans by delivering effective instruction, the program could not succeed. Teachers need to be not only professionally trained to recognize and deal with linguistic and cultural differences, but must have a combination of sensitivity and tough-mindedness to provide the very best learning experience for minority language children. These children are not brain-damaged or basically incompetent because they have a language other than English, and the teacher's attitude cannot be one of providing only a safe, comfortable haven. Besides knowing one's job and being actively concerned for each child's school adjustment, an ESL teacher must be strongly task-oriented and be committed to the goal of getting each student to function successfully as quickly as possible in the world outside the ESL classroom.

Having said this, it may seem contradictory to also stress the role of the ESL teacher as social worker and general factotum but that, too, must be understood. Any professional who expects to instruct a middle class group of children, all at the same ability level, all neatly dressed, well-fed, scribbed and healthy and well-cared for, should look elsewhere. Part of every teacher's duties will certainly be to deal with many extraordinary extra-curricular problems. In the process, communication between home and school is more essential than is generally the case. This will require a greater expenditure of time and energy on the teacher's part.

The ESL teacher will need to develop a close working relationship with other staff members and with administrators. Keeping in close touch with the school curriculum being used in different grades and with the performance of minority language students in their mainstream classrooms requires constant communications with school personnel. Being a public relations resource for the bilingual program is another role the teacher plays as there are always educators who do not "understand" what is, or should be, done for our students.

In-service training of bilingual/ESL teachers should be conducted bi-monthly throughout the school year. Presentations of new materials and texts, demonstrations of teaching methods and information on developments in the field motivate and invigorate the teaching staff. At least one meeting should be held in each bilingual/ESL classroom so that each teacher may demonstrate visual aids or techniques developed locally. Specialists, book publishers, etc. may be invited to conduct some of the workshops. Summer workshops in curriculum and materials development are essential for a lively, self-renewing program.

In this profession the responsibilities are great; the qualifications are high; the financial rewards are certainly not sufficient; but the personal satisfactions in the job itself are outstanding.

Auxiliary and Support Staff

Teacher Aides are a valuable resource in the ESL classroom, which can be a training ground for community parents. Whenever possible, teaching assistants should be bilingual in any of the community languages and English. English language proficiency need not be developed to a high degree but should be sufficient for communicative purposes. Aides can serve instructional functions, under the supervision of Bilingual/ESL teachers who must carefully plan their activities. They are also a resource in communicating with parents and serving as interpretors in interviewing and screening new students.

Aides may be employed for their native language skills alone, or for their ability to tutor in English. In the latter case their English skills in speech, reading and writing should be developed sufficiently so that they can be good models for the students. Training aides to do small group lessons or individual tutoring, to use audio-visual equipment, to conduct word games, etc. is the responsibility of the Bilingual/ESL teacher. Some training of aides and volunteers should be a regular part of the Bilingual Department's in-service program.

In times of poor job opportunities for teachers, many professionally qualified people are taking jobs as teacher aides. This gives the Bilingual Program a richer pool of resources in its auxiliary staff and gives the teacher aides an opportunity to demonstrate their competence when teaching jobs become available. It is certainly not an equitable situation but it is a present reality.

Every community has or should develop a school volunteers' organization to supplement the regular staff. A group may be organized using the parents in the bilingual community as well as anywhere else. An excellent source of volunteers are the elder members of a community who have retired from various jobs but still want to be active in some worthwhile activity.

During the sixties and early seventies a number of social changes and the ready funding of social programs converged to make volunteer work seem demeaning and unacceptable. Lately, budget cuts for education and a waning economy have restored the appeal of volunteer workers and they are once more being sought out.

Two good rules to observe in initiating a volunteer program for minority language students:

1. In-service training should be provided to volunteers--at least two or three sessions per year--to give them some understanding of the children they will be serving and the rationale of the instructional program, and to review their experiences and recommendations at the end of the year.
2. Bilingual/ESL teachers should assume the responsibility of planning what the volunteers will do and monitoring their performance. Very little will be accomplished by a volunteer whose time is not put to good use and a valuable resource will be lost.

Special Programs

A multi-cultural pre-school has been operating for the past few years and has achieved such good results that it will continue to be funded in this school system, even though it is not a state mandated program.

The New York Times Winter Survey of Education of January 10, 1982 states that " . . . schools' interest in children from the ages of four through eight has grown as findings have mounted to indicate that educational experiences during those years provide not only the foundation for but also the attitudes toward later learning."[1] Later in the article the importance of early learning experiences is attested to by a George Washington University study based on more than fifty evaluation projects which show " . . . improved reading skills, more mature behavior, and lower absenteeism for former participants in such a program."[2]

The pre-school program is open to a little broader population than just minority language students. These are the guidelines for applicants:

1. The Multicultural Preschool Program is designed for children whose first language is one other than English and who need experiences in the area of socialization and language development. Special consideration will be given to children who fall into one or more of these categories:
    a) Have a developmental deficiency
    b) Have limited contact with children of their own age
    c) Have a special family situation
    d) Have been referred to us by school personnel or by a social agency

One Bilingual/ESL teacher and one or two bilingual aides can provide a program for twenty children in each of two sessions, morning and afternoon.

A process should be in place for cooperative efforts in the identification and assessment of bilingual students with special needs. The procedures which I recommend for this joint effort by the two departments feature:

1. In-service training of special education staff, learning disabilities teachers, resource room teachers, school psychologists, and social workers, in non-discriminatory assessment
2. In-service training of bilingual and special education staff in procedural steps for referral of bilingual students with special needs
3. Designating a bilingual staff person to monitor student assessment and delivery of services
4. In large enough programs, support staff with competence in the major community languages should be employed
5. A list of interpretors, translators, and professionals (social workers, psychologists, etc.) in the area be maintained so they can be employed on a case basis

An example of the type of referral procedure developed jointly by the Bilingual and Special Education Departments is the following:

The process for the bilingual child who is to be evaluated and who may need special education services is basically the same as that for any other child but for two differences:

1. A language dominance assessment must be made before the referral, and
2. All documents and other communications must be in the language of the home, and interpretors, if needed, must be at Team meetings

Before a Chapter 766 referral takes place it is essential that a thourough assessment be made to determine that the child's difficulties are not merely the problems of second language acquisition. It is equally important that parents participate in TEAM meetings and have information provided to them in their own language. The process for ensuring that these things are done will be aided by the appointment of a bilingual staff member who is certified in both bilingual and special education, and will work half-time in each of those departments.

1. Students of bilingual background are not to be referred for TEAM evaluation until language dominance and/or proficiency testing has been done in English and the home language
2. Language dominance and proficiency testing will be done by, or arranged for by, the Bilingual/Special Education appointee

3. When appropriate, the appointee will participate in TEAM meetings for bilingual special needs students. The appointee will periodically monitor the implementing of the Individualized Educational Plan
4. By arrangement with the Bilingual Office, interpretors will be provided for TEAM meetings and translations will be made for limited-English speaking parents
5. Services are provided by certified special educators such as learning disability teachers, speech therapists, resource room teachers and learning center teachers. When services are provided by an aide, the tasks must be clearly defined in the IEP and the aide must be jointly supervised by the appropriate special educator in the building and the general education teacher (including the bilingual teacher) who best know the child, his needs and his potential

In addition, the appointee will assist in obtaining bilingual psychologists, social workers, and other staff, review IEP's twice yearly, and be available for consultation about any issues and problems in the bilingual-special education area.

A basic component of the regular vocational program for minority language students is the availability of ESL lessons for one or two periods daily. Native speakers of other languages may be provided as teacher aides in vocational training areas where they support the content teaching.

An innovative program we are trying for the first time this year is an exploratory, after-school program for any minority language high school students. Through a federal grant for adult education, this program was developed to provide foreign students from underdeveloped countries with an introduction to various career possibilities. The class meets twice weekly for a lecture/demonstration in one of several areas, for example, auto body, printing, electronic assembly, computers, food services, etc. A Bilingual/ESL teacher gives English language instruction related to the content and a teacher aide or interpretor assists in explaining concepts whenever possible. At least one visit is made during the year to each of the local industries for which the training is offered. This gives students an understanding of the wide range of choices available in vocational education. It also provides students and prospective employers an opportunity to meet informally. Job application and job interview procedures are an important part of the curriculum in this program.

Adult education. The Bilingual department has an obligation to offer classes in English as a Second Language to community residents and should not leave this to other agencies which may not have personnel with the expertise to do the job well. How extensive an adult program can be implemented will vary from community to community. If resources permit, it would be helpful to offer courses in reading and writing in the mother tongue for the minority language groups, and in teaching the history and literature of their countries.

Program Evaluation--Accountability

In Massachusetts the Transitional Bilingual Education law mandates an evaluation to be conducted by a committee of parents and educators at regular intervals. Every aspect of the bilingual program from administration and record-keeping to teaching schedules and census-taking is to be examined and evaluated for its adherence to the stipulations of the Transitional Bilingual Educational law.

Any Bilingual program worthy of the name should welcome an assessment of its varying degrees of success in providing an education for minority language children. Accountability is not a dirty word unless dirty deeds are done in its name. There is always much to be learned from an evaluation of any operation when it is a constructively motivated exercise.

An in-house evaluation could be done by a team of 3-5 parents with children in the bilingual program, together with an assortment of educators from other programs, possibly including an elementary teacher, a high school teacher, a social worker, and a school principal. Such a team would be small enough to work effectively.

The team should develop their criteria for program evaluation and should observe and comment on at least the following categories:

1. Student achievement
2. Physical facilities in the schools

3. Staff competency
4. Materials and textbooks
5. Administrative leadership and effectiveness

Of all the elements to be observed, the outcome that has greatest significance is student achievement. This is the bottom line, the raison d'etre of the whole program. If progress is not occuring then the program is not working. Attention must be paid either to improving the performance of staff, or developing different methodologies, or acquiring new materials, or using different diagnostic and assessment instruments, or some combination of several of these components. An on-going, formative evaluation will help ensure a systematic appraisal and re-appraisal process.

A program of achievement testing at the end of every school year will provide teachers and parents with an accurate assessment of how much progress has been made in second language acquisition. Some professional judgment must be exercised in selecting the most appropriate instruments to use for this purpose. Since basic skills testing is now required in many states, minority language students may, when they are deemed ready by the staff, be allowed to participate in that testing to determine their performance in comparison with their classmates. Ducking the issue of achievement testing is do do a disservice to minority langugage children. If results do not match expectations, then new strategies must be devisted for improving the possibilities for learning.

Developing the ground rules for a formative evaluation of the bilingual program makes sense for several reasons. It keeps the initiative for program evaluation in the hands of people most directly concerned with the program--the parents. Adding professional educators within the school system, but not involved in the program, provides a necessary balance between familiarity and objectiveity. A regularly scheduled evaluation, perhaps every other year, allows enough time for problem areas to be improved and reconsidered. Make up of the evaluation team would change, of necessity, providing fresh view points. A summary of previous evaluations should be studied, preliminary to starting a new process, to assure continuity and avoid repetitious efforts.

An evaluation process might ensure that documentation on minority language students be maintained in a more systematic manner than has been the case so far in the ten years of Transitional Bilingual Education in Massachusetts.

Conclusion

The program model described here is an accurate reflection of a living, existing program in operation at this time in one city in Massachusetts. Like any living organism, it will not remain in this exact form for very long. It is not a static, totally unique plan for saving the academic lives of non-English speakers. It is not necessarily to be swallowed whole, without pre-consideration. But it is a workable, systematic model. I believe that some or all of its features can be of immediate or of future use to other communities.

Senator STAFFORD. For the subcommittee, I thank the Senator for a very able statement. I can assure you that Senator Pell would be here were it not for a longstanding previous commitment on his part, away from Washington.

I do have two or three questions, which for the subcommittee I would like to ask, and I would say, Senator, that if you prefer to answer them in writing, it would be agreeable to the Chair, whichever way you wish.

Senator HUDDLESTON. Whatever suits the Chairman.

Senator STAFFORD. The first question is this. Among other things, Congress declared in the existing Bilingual Education Act that the policy of the United States is "to demonstrate effective ways of providing for children of limited English proficiency instruction designed to enable them, while using their native language, to achieve competence in the English language." In S. 2002, you strike the words, "while using their native language" from that statement of policy. This leads me to conclude that your bill is silent on whether or not native language should be used. Therefore, do you believe that only one type of program should be funded under title VII, or should other educational strategies be used as well?

Senator HUDDLESTON. We provide, of course, for the use of students' native language. We put the restriction on it of the 1 year period of time, except that that can be increased to 3 years if an evaluation determines that the student does not progress sufficiently or has a reasonable expectation of gaining proficiency by staying for another period of time. What I am trying to do is avoid the virtually automatic permission for a student to remain in a bilingual program so that he is only getting instruction in his native language for several years, in some cases, on through his elementary experience.

Senator STAFFORD. Thank you.

In your bill, you require that there be "an intensive course of study in English," in all programs to be funded under title VII. Do you believe that the Federal Government should mandate what local school districts should do under the act?

Senator HUDDLESTON. Well, that is always a difficult question that we grapple with up here when we are dispensing Federal funds, as to the extent to which the Government ought to at the same time meet a mandate or at least establish substantial guidelines. This is the one area where I think we ought to be fairly strict in our requirements, if we are going to develop a program that essentially—at least, the intent of Congress was at the beginning—allows a student to progress in learning other subjects at the same time he is learning to speak English. It seems to me that to keep that kind of program within the proper bounds, there ought to be coincident with it an intensive English program. As a matter of fact, my own judgment is—and Senator Hayakawa agrees with this, and numerous people I have talked to who have come to this country from foreign countries agree—that the intensive English part is probably the most important part of our bilingual efforts. It would solve a lot of problems if they learned English very quickly.

Senator STAFFORD. How do you respond to statements that your bill's time limitation on instruction fails to recognize that varying amounts of time are needed for students to successfully make a transition to English?

Senator **Huddleston**. Well, we give the 3-year maximum, if it requires that long. Some, of course, can be assimilated within 1 year. And I would just cite the average of what is happening now. One to 3 years is what we hear from around the country.

Senator **Stafford**. Senator, for the committee, I want to express our appreciation to you for your personal involvement in this important question. We appreciate your help to the subcommittee in looking at this important issue.

Thank you very much, Senator.

Senator **Huddleston**. Thank you, Mr. Chairman.

[The responses of Senator Huddleston to questions asked by Senator Kennedy follow:]

WALTER D. HUDDLESTON
KENTUCKY

United States Senate
WASHINGTON, D.C. 20510

COMMITTEES:
AGRICULTURE, NUTRITION, AND FORESTRY
APPROPRIATIONS
SELECT COMMITTEE ON INTELLIGENCE
SELECT COMMITTEE ON SMALL BUSINESS

June 21, 1982

The Honorable Robert T. Stafford
Chairman
Subcommittee on Education, Arts and Humanities
Dirksen Senate Office Building
Washington, D.C. 20510

Dear Bob:

Enclosed are the answers to questions submitted by Senator Kennedy regarding the hearings on S. 2002 which were held by the Subcommittee on Education, Arts and Humanities in late April. I have also forwarded a copy of the answers to Ted for his information.

If I can be of further assistance in this matter, please let me know.

Sincerely,

Dee

Walter D. Huddleston

Enclosures

cc: Senator Edward M. Kennedy

Answers to questions submitted to Senator Huddleston by Senator Kennedy on S. 2002
June 21, 1982

Q. Your bill adds a new defining characteristic for bilingual education: "An intensive course of study in English." Why do you believe that the current effort in this area is insufficient?

A. The current emphasis in the bilingual program seems not to be to teach children English but to make sure that the home language remains strong. This was not the intent of the bilingual education program when it was first passed by Congress. I believe that putting a specific provision in the bill which defines the purpose of bilingual education will assure that the program teaches English and does not place a disproportionate share of the time on maintaining the child's home language.

Q. What does this characteristic require: more time studying English or a different instructional approach?

A. The requirement for an intensive course of English would promote more effort in having a child learn English. It would not mandate only ESL programs as some have feared.

Q. Studies have indicated that reading and writing skills are important in student acquistion of language literacy skills. Given their importance, why do you delete these two skills from the definition of "limited English proficient?

A. The definition of a limited English proficient child has been changed to exclude reading and writing because the present definition has only legitimized keeping children in a bilingual program indefinitely. The idea of the program was that it would be transitional only. However, by requiring proficiency in speaking, understanding, reading and writing skills before a child can be move on, we are guaranteeing that these children may never be placed in the regular classroom. Everyone is aware that many children who know only English have trouble reading and writing English. Yet we do not segregate these children from others in the classroom and there is no reason why bilingual children who speak and understand English should be segregated only because they have problems reading and writing the language.

Q. Should bilingual education programs not emphasize the acquisition of these two skills?

A. Bilingual education should emphasize the development of all skills, however, the primary responsibility is that the child learn English as rapidly as possible so he can be placed in a classroom with other English speaking students. In the regular classroom the child's skills can be developed further along with other students.

Q. Why should students be tested annually rather than every two years?

A. The problem with the present bilingual program is that there is no requirement that the children be tested at all. The language of the Bilingual Education Act does not require an evaluation as the basis for continued participation. The language is only advisory and there are no sanctions if an evaluation is not completed.

Students in classrooms all across the country are tested each year to see what skills they have acquired during the year and to see how they have progressed. There is no reason why bilingual education students should not be subject to the same evaluation process. In fact, is is more imperative that these students be evaluated as often as possible so that students who have acquired sufficient English skills can be mainstreamed. Having an evaluation any less frequently than once a year only helps to perpetuate a bilingual education progam where the students will remain indefinitely.

Q. Upon what basis do you assume that a significant number of LEP students are ready to be mainstreamed after one year of bilingual education?

A. I do not assume that a significant number of LEP students will be ready to be mainstreamed after one year. My bill would only require that students who are able to be mainstreamed after one year will be. The present Bilingual Education Act does not offer this guarantee.

Q. Upon what basis do you assume that all LEP students are ready to be mainstreamed after three years of bilingual education?

A. I do not assume that all LEP students will be ready to be mainstreamed after three years. However, many students will have acquired English skills which will permit them to be mainstreamed where these skills can be further developed. For students who have not acquired sufficient skills, then I believe that it is more appropriate for the states to fund their continued education in a bilingual education program, especially since almost 50% of bilingual students come from only three states: California, New York and Texas.

Q. You state that "if a child has been in the program for three years and still lacks the ability to speak and understand English, it is obvious that the services provided by Title VII programs may not be sufficient to ever teach him English. Upon what do you base this conclusion?

A. It is well known that children can learn a second language much better than adults. If after three years of being taught English a child still does not understand English and still has no ability to speak English, something is deficient with the teaching instruction or the child has some severe learning problem. In this type of situation, remedial instruction is undoubtably called for and I believe that this instruction is more appropriately provided by the states because of the disproportionate location of these students in our country.

Q. You state in your testimony that as of 1978 about 75% of the eligible LEP students in the United States were native-born. There is no indication that this number has changed radically in the last three years. Why then do you place such an emphsis on the participation of immigrants in the programs when the vast majority of eligible program participants appear to be native-born?

A. The 75% figure to which you refer comes from the Children's English and Services Study of 1978. No further studies by the federal government are available. However, in informal discussions which my staff has had with a number of bilingual project directors across the country, including discussions with the bilingual directors in the senator's home state of Massachusetts and his home town of Boston, it has been suggested that immigrant participation is much higher in bilingual education programs - perhaps even as high as 50% in some programs. There also is no way to tell how many of those participating who may be native-born had parents who were immigrants.

Additionally, census data released this year shows that with an increase in immigration, we can expect an increase in the number of people who don't speak English. Our immigrant population increased from 4.7% in 1970 to 6.2% in 1980. The Census Bureau found that in 1980, one of every ten said he or she spoke a language other than English. Thus, a good portion of the students who are presently involved in the bilingual education program (and perhaps an even greater percentage in the future) are immigrants. Their participation has a very direct influence on the program and on our desire to see that they are assimilated as rapidly as possible.

Senator STAFFORD. The balance of the morning will be devoted to two panels. The Chair would ask the first panel to come forward. It consists of Mr. Arnoldo S. Torres, executive director, League of United Latin American Citizens in Washington; Dr. Roberto Cruz, president-elect, National Association of Bilingual Education, here in Washington; Dr. G. Richard Tucker, director, Center for Applied Linguistics, Washington; and Mr. Ronald P. Andrade, executive director, National Congress of American Indians.

In view of time constraints, the Chair is going to have to ask witnesses—and I believe you have been so warned—to limit your statements to 5 minutes. If you have a longer, printed statement, we will be glad to have it placed in the record in full. But we are going to use Claiborne Pell's designed "stop-go-caution" lighting system. In my committee, I am more inclined to use an hourglass, which is a little bit flexible.

So, gentlemen, when the green goes on, you are starting; when the yellow goes on, you have 1 minute in which to conclude your remarks.

The Chair really would leave it to you as to who goes first, although I would suggest maybe you go in the order in which I called your names, if that is agreeable. So that would mean Mr. Arnoldo Torres, you are at bat.

STATEMENT OF ARNOLDO S. TORRES, EXECUTIVE DIRECTOR, LEAGUE OF UNITED LATIN AMERICAN CITIZENS, ACCOMPANIED BY DR. JOSE LLANES; DR. ROBERT CRUZ, PRESIDENT-ELECT, LEAGUE OF UNITED LATIN AMERICAN CITIZENS, ACCOMPANIED BY DR. JAMES CUMMINS; DR. G. RICHARD TUCKER, DIRECTOR, CENTER FOR APPLIED LINGUISTICS; AND RONALD P. ANDRADE, EXECUTIVE DIRECTOR, NATIONAL CONGRESS OF AMERICAN INDIANS, ACCOMPANIED BY DR. WILLIAM LEAP, A PANEL

Mr. TORRES. Mr. Chairman, before the green goes on, I would just like to provide you with just a brief statement about the structure. Many of us here have brought with us witnesses who will be providing expert testimony——

Senator STAFFORD. That is agreeable to the Chair, but it will still have to be within the 5 minutes.

Mr. TORRES. Yes, within the 5 minutes. I just wanted to let you know why we have so many people up here.

Senator STAFFORD. All right.

Mr. TORRES. I appreciate the opportunity to come before you today as the executive director of the League of United Latin American Citizens, this country's oldest and largest Hispanic organization.

I commend you and Senator Huddleston for wanting to discuss this issue which, as he has indicated, is extremely important to our community. On behalf of LULAC, we have always considered bilingual education an extremely high priority, and we demonstrated that concern in the 1950's, when we formed the "Little School of 400," which was aimed at teaching Hispanic children 400 basic English words in order to ease their transition—and we note, "transition"—into a monolingual English classroom. This program formed the basis for the Federal Head Start program of the 1960's.

I would simply like to respond somewhat to Senator Huddleston's comments earlier. He mentioned the AIR study. We want to indicate for the record that that study began in 1974, was terminated in 1977, and was released in 1978 because of methodological problems. Incidentally, every scholar primarily has indicated that its findings are incorrect and have rejected the study.

The other point, as he indicated, is that in Los Angeles parents withdrew their children from school, and I primarily want to indicate for the record that these children were segregated in order to instruct them in their native language, and this is why the parents withdrew them. It was primarily a design problem, as opposed to just an opposition to bilingual education.

I would like at this time to introduce Dr. Jose Llanes, who has done a study of the DeKanter/Baker study and a couple of other issues that we would like to have raised.

[The prepared statement of Mr. Torres follows:]

PRESENTED BY
ARNOLDO S. TORRES
NATIONAL EXECUTIVE DIRECTOR
APRIL 26, 1982

GOOD MORNING, MEMBERS OF U.S. SUBCOMMITTEE ON EDUCATION, ARTS AND HUMANITIES. I AM ARNOLDO TORRES, NATIONAL EXECUTIVE DIRECTOR OF THE LEAGUE OF UNITED LATIN AMERICAN CITIZENS (LULAC), THIS COUNTRY'S OLDEST AND LARGEST HISPANIC ORGANIZATION WITH OVER 100,000 MEMBERS IN 45 STATES.

WE APPRECIATE THE OPPORTUNITY TO COME BEFORE YOU AND PRESENT TESTIMONY ON BILINGUAL EDUCATION, AN ISSUE WHICH IS OF PRIMARY IMPORTANCE TO THE HISPANIC COMMUNITY AND ONE WHICH HAS BEEN GIVEN HIGH PRIORITY BY LULAC SINCE ITS INCEPTION . IN THE 1950'S, LULAC FORMED THE "LITTLE SCHOOL OF 400" WHICH WAS AIMED AT TEACHING HISPANIC CHILDREN 400 BASIC ENGLISH WORDS IN ORDER TO EASE THEIR TRANSITION INTO A MONOLINGUAL ENGLISH CLASSROOM. THIS PROGRAM FORMED THE BASIS FOR THE FEDERAL HEAD START PROGRAM OF THE 1960'S.

HISTORICALLY, CHILDREN OF MINORITY LANGUAGE BACKGROUNDS HAVE SUFFERED ABUSE AND NEGLECT DUE TO THEIR SO-CALLED "LANGUAGE HANDICAP." ACCORDING TO THE 1979 ANNUAL REPORT OF THE CARNEGIE CORPORATION OF NEW YORK, "CONSIDERED BY

SCHOOL AUTHORITIES TO BE CHILDREN OF AN INFERIOR RACE, (MEXICAN-AMERICAN CHILDREN IN TEXAS AFTER THE CIVIL WAR) WERE OFTEN PUNISHED FOR SPEAKING SPANISH, HEARD THEIR NAMES ANGLICIZED, AND SAW THEIR CULTURAL BACKGROUND SYSTEMATICALLY IGNORED IN TEXTBOOKS."

IN A 1970 ARTICLE IN CENTER MAGAZINE ENTITLED, "MONTEZUMA'S CHILDREN," PHILIP D. ORTEGO OBSERVED:

> IN PRACTICE, MEXICAN-AMERICAN CHILDREN ARE FREQUENTLY RELEGATED TO CLASSES FOR THE EDUCABLE MENTALLY RETARDED SIMPLY BECAUSE MANY TEACHERS EQUATE LINGUISTIC ABILITY WITH INTELLECTUAL ABILITY. IN CALIFORNIA, MEXICAN-AMERICANS ACCOUNT FOR MORE THAN 40% OF THE SO-CALLED MENTALLY RETARDED.

MANY OF THE ATTACKS ON BILINGUAL EDUCATION TODAY, AND THE ATTITUDES AND MISUNDERSTANDINGS UPON WHICH MANY OF THESE ATTACKS ARE BASED, REVEAL THAT THE ONGOING CONTROVERSY REFLECTS A DEEPER CONFLICT THAN SIMPLY A STRUGGLE TO FIND THE BEST METHODOLOGY FOR EDUCATING MINORITY-LANGUAGE CHILDREN. BILINGUAL EDUCATION IS BUT ONE OF A SERIES OF APPROACHES TO MEETING THE NEEDS OF MINORITY LANGUAGE STUDENTS, AND IT OCCUPIES ONLY ½ OF 1% OF THE TOTAL APPROPRIATIONS, YET IT HAS RECEIVED AN INORDINATE AMOUNT OF ATTENTION, IN PART BY THOSE WHO VIEW TEACHING IN A FOREIGN LANGUAGE AS "UN-AMERICAN," OR "DAMAGING TO OTHER

EDUCATIONAL PROGRAMS." CONTRARY TO PUBLIC PERCEPTION, AND TO THE MANNER WHICH THE MEDIA HAS CHARACTERIZED BILINGUAL EDUCATION, IT IS NOT AN ATTEMPT BY THE SPANISH-SPEAKING COMMUNITY, NOR ANY OTHER NON-ENGLISH DOMINANT GROUP, TO CREATE ITS OWN COUNTRY WITHIN THE UNITED STATES. THERE ARE NUMEROUS STUDIES TO SHOW THAT STUDENTS TAUGHT IN THEIR NATIVE LANGUAGE UNTIL ABLE TO SUCCEED IN MONOLINGUAL ENGLISH CLASSROOMS PERFORM BETTER THAN THOSE WHO ARE FORCED IMMEDIATELY INTO AN ALL-ENGLISH ENVIRONMENT, SO OUR PURPOSE IN SUPPORTING THESE PROGRAMS IS PRECISELY THAT OF HELPING STUDENTS BE BETTER CONTRIBUTORS TO MAINSTREAM AMERICAN SOCIETY. THOSE WHO INSIST ON RELEGATING MINORITY-LANGUAGE STUDENTS TO AN INFERIOR STATUS BY PLACING THEM IN SITUATIONS WHERE THEY ARE DOOMED TO LAG BEHIND OR FAIL ARE THOSE WHO ARE ACTUALLY PROMOTING A CONTINUED SEPARATION DUE TO LACK OF COMMUNICATION AND ACHIEVEMENT.

IN THE LAST 10 YEARS WE HAVE SEEN A SIGNIFICANT RISE IN ANTI-IMMIGRANT SENTIMENT SWEEP THIS COUNTRY. THIS MENTALITY HAS EXTENDED INTO THE CULTURAL TRAITS OF THE NEW IMMIGRANTS WHICH MANY VIEW AS BEING PRIMARILY HISPANIC, SPANISH-SPEAKING. IN VIEW OF THIS COUNTRY'S CONSTANT ECONOMIC DIFFICULTIES OVER THE LAST 10 YEARS, IT IS NOT SURPRISING TO FIND THAT AS A CONSEQUENCE, THE NEW IMMIGRANTS HAVE BEEN MADE THE SCAPEGOATS FOR SUCH PROBLEMS. THIS HAS HISTORICALLY BEEN THE MANNER IN WHICH U.S. SOCIETY HAS RESPONDED TO NEW IMMIGRANTS IN

TIMES OF ECONOMIC DOWN SWINGS. HOWEVER, WE FIND THAT THE NEGATIVISM TOWARDS NEW ARRIVALS IS DEEPER AND ATTACKS CULTURAL CHARACTERISTICS. THE LANGUAGE OF THE NEW IMMIGRANTS IS ALSO THE LANGUAGE OF MANY RESIDING IN THIS COUNTRY. CONSEQUENTLY, BILINGUAL EDUCATION ALSO BECOMES A FOCAL POINT FOR VENTING FRUSTRATIONS ASSOCIATED WITH ECONOMIC TROUBLES.

THE TENDENCY TO LINK THE BILINGUAL EDUCATION ISSUE WITH THE IMMIGRATION ISSUE REVEALS POLITICAL MOTIVES BEHIND MANY ARGUMENTS WHICH THREATEN THE YOUNG LIFE OF AN EFFECTIVE INSTRUCTIONAL TOOL. THIS TENDENCY ALSO PLACES SPECIAL DEMANDS ON BILINGUAL EDUCATION PROGRAMS TO PROVE THEIR EFFECTIVENESS. SUBSTANTIVE CHANGES ARE BEING PROPOSED BEFORE THE PROGRAM HAS HAD THE CHANCE TO PROVE ITSELF, AND MANY OF THESE CHANGES ARE BASED ON A FEW AND FAULTY NEGATIVE REPORTS.

WE WOULD NOW LIKE TO ADDRESS OUR REASONS FOR OPPOSING THE TWO BILLS UNDER CONSIDERATION TODAY BECAUSE WE FEEL THAT THEY TAKE BACKWARD STEPS IN ALLEVIATING THE PROBLEM OF MAINSTREAMING MINORITY LANGUAGE CHILDREN INTO AMERICAN SOCIETY.

WE OPPOSE SENATOR WALTER HUDDLESTON'S BILL, S.2002 FOR THE FOLLOWING REASONS:

1) THE PROPOSAL TO LIMIT PARTICIPATION IN A TITLE VII PROGRAM TO ONE YEAR IS BASED ON THE IDEA THAT THE TIME LIMIT WILL PERSUADE TEACHERS AND STUDENTS TO

REACH GOALS FOR LEARNING ENGLISH IN THE SHORTEST TIME POSSIBLE. RESEARCH EVIDENCE REVEALS THAT BEST RESULTS ARE OBTAINED AFTER FOUR OR FIVE YEARS OF SIMULTANEOUS INSTRUCTION IN THE NATIVE LANGUAGE AND ENGLISH. ALTHOUGH MANY STUDENTS PROGRESS RAPIDLY AND ARE ABLE TO ADVANCE TO A MONOLINGUAL CLASSROOM IN LESS THAN TWO OR THREE YEARS, ONE YEAR IS ENTIRELY TOO RESTRICTIVE AND WILL RESULT IN A BURDENSOME ANNUAL EVALUATION PROCESS AND MONOLINGUAL CLASSES FULL OF STUDENTS WHO TRULY ARE NOT PREPARED TO SUCCEED IN THAT ENVIRONMENT.

2) PERHAPS THE JUSTIFICATION FOR THE ONE YEAR LIMIT IS SENATOR HUDDLESTON'S PROPOSAL TO RE-DEFINE THE POPULATION OF STUDENTS ELIGIBLE FOR BILINGUAL EDUCATION TO CONSIST ONLY OF THOSE WHO DO NOT SPEAK OR UNDERSTAND ENGLISH. THIS PROVISION DOES NOT TAKE INTO ACCOUNT A CHILD'S ABILITY TO READ AND WRITE ENGLISH, WHICH IS AN ESSENTIAL CRITERIA TO SUCCESS IN THE CLASSROOM.

3) THE PROVISION WHICH WOULD MANDATE AN INTENSIVE ENGLISH COURSE WOULD DEMAND EXTRA TIME IN THE STUDY OF ENGLISH AND EVEN LESS TIME IN THE NATIVE LANGUAGE. ACCORDING TO THE DEPARTMENT OF EDUCATION'S 1978 CHILDREN'S ENGLISH AND SERVICES STUDY, 85% OF STUDENTS IN BILINGUAL PROGRAMS RECEIVE FIVE HOURS OR MORE OF STRUCTURED ENGLISH INSTRUCTION AS COMPARED TO ONLY 78% OF CHILDREN IN AN ALL-ENGLISH PROGRAM. THIS OVERZEALOUS APPROACH

COULD RESULT IN A NEGLECT OF THE INSTRUCTION IN THE NATIVE LANGUAGE WHICH IS NECESSARY FOR THE COGNITIVE PROGRESS OF THE STUDENTS.

WE OPPOSE THE ADMINISTRATION'S PROPOSALS FOR THE FOLLOWING REASONS:

1) THE PROPOSAL TO FUND NON-BILINGUAL EDUCATION PROGRAMS WITH TITLE VII MONIES WOULD PLACE ADDED DEMANDS ON THE LIMITED RESOURCES AND WOULD BE DETRIMENTAL TO RESEARCH AND REFINEMENT OF BILINGUAL PROGRAMS WHICH INCORPORATE THE USE OF THE NATIVE LANGUAGE.

2) THE PROVISION TO PRIORITIZE FUNDING FOR THOSE STUDENTS WHO ARE LIMITED IN ENGLISH AND WHO ALSO HAVE A "USUAL" LANGUAGE WHICH IS OTHER THAN ENGLISH IS PEDAGOGICALLY UNSOUND DUE TO THE FACT THAT A CHILD COULD BE PROFICIENT IN ENGLISH, BUT PREFER TO SPEAK ANOTHER LANGUAGE MOST OF THE TIME. THIS PROVISION WOULD DEPRIVE MANY STUDENTS OF SERVICES WHO SPEAK SOME ENGLISH, BUT WHO STILL HAVE NOT PROGRESSED IN THEIR CONCEPTUAL KNOWLEDGE OF THE LANGUAGE TO THE EXTENT NECESSARY TO SUCCEED IN A REGULAR ENGLISH-LANGUAGE CLASSROOM. ACCORDING TO DEPARTMENT OFFICIALS, THIS COULD REDUCE THE NUMBER OF ELIGIBLE CHILDREN FROM 3.6 MILLION TO 700,000.

3) THE PROVISION TO PLACE BILINGUAL VOCATIONAL TRAINING PROGRAMS UNDER THE BUDGET AUTHORITY OF TITLE VII WOULD BE DETRIMENTAL TO BOTH PROGRAMS BECAUSE OF THE INCREASED DEMAND ON FUNDS.

ACCORDING TO 1980 CENSUS DATA, ONLY 43% OF HISPANICS 25 YEARS OF AGE OR OLDER ARE HIGH SCHOOL GRADUATES AS COMPARED TO 51% BLACKS AND 69% WHITES. SPANISH IS THE FOURTH MOST SPOKEN LANGUAGE IN THE WORLD, AND THE UNITED STATES IS NOW THE FIFTH LARGEST SPANISH SPEAKING COUNTRY IN THE WORLD. IN VIEW OF THE FACT THAT THE HISPANIC COMMUNITY HAS A MEDIAN AGE OF 22.1 AS COMPARED WITH 29.5 FOR NON-HISPANICS, AN EFFECTIVE PROGRAM FOR EDUCATING THIS POPULATION SUCH AS BILINGUAL EDUCATION IS IN THE NATIONAL INTEREST.

WE ADAMANTLY OPPOSE EFFORTS TO BRUNT A YOUNG PROGRAM WHICH HAS NEVER TRULY BEEN ALLOWED TO PROVE ITS EFFECTIVENESS DUE TO UNDER-FUNDING AND UNDER-ENFORCEMENT. BILINGUAL EDUCATION IS ESSENTIAL FOR MANY STUDENTS OF MINORITY-LANGUAGE BACKGROUND IF THEY ARE TO RECEIVE EQUITABLE OPPORTUNITIES AND REALIZE THEIR FULL POTENTIAL AS AMERICAN CITIZENS.

Dr. LLANES. Thank you very much, Mr. Chairman. This testimony is in two parts. The first part deals with the draft final report of DeKanter and Baker; the second part offers some recommendations on how the act may be amended.

First, we would like to state that we agree with the general assessment contained in the memo from the Chief of the Department of Education's Legal Standards and Policy Branch. In this memo, they point out that "the DeKanter/Baker report is invalid and of little relevance to Federal policy or to local educators who are concerned with providing equal educational opportunities to language-minority students," and the memo goes on to identify why.

At the present time, the data, analysis, and synthesis of research in U.S. bilingual education remains largely undone. There is considerable data from Mexico, Peru, Sweden, Canada, and the Philippines, all agreeing with our current policy direction. The minimum level of effectiveness of this treatment varies according to study method, foreign national community characteristics, and the objectives of the bilingual education program under study, but there is wide agreement that transference to the all-English curriculum should not take place before the child has developed what psycholinguist, James Cummins, has called CALP, or cognitive academic linguistic proficiency, a language rich enough to handle conceptual academic information. There is, however, no body of similar data on U.S. programs at this time. To do a summary of all that is known about U.S. bilingual education at this time, which is what DeKanter/Baker presume to do, would be like sending a case to the jury before one side has had a chance to present its evidence.

The case for immersion in the report is made on the basis of three studies. Only one of them fits the criteria that DeKanter/Baker has alreadv outlined for inclusion in the report. This is the Canadian St. Lambert experiment. The purpose of this experiment, sir, is to add a language—French—to English-speaking Canadian children without expecting that they lose their English skill at all. The U.S. case is totally different. The Bilingual Act seeks to subtract the language, leaving in its place a second language. The comparison is therefore invalid.

In order to substantiate this, I called Dr. Lambert, who is the principal investigator of the above study. He said:

> It is totally wrong to use our study of immersion in Montreal to justify a similar approach with non-English-speaking students in the U.S. The only possible parallel is with native English-speaking students in the U.S. being introduced to Spanish or Portuguese. To fail to do that is to put them at a tremendous disadvantage, intellectually, attitudinally, and socially, and to keep them there for the rest of their lives. The popular Canadian and American myth which points at someone's grandfather who came from Poland or Italy, learned English, and made a million dollars without the help of bilingual education, is a story which is statistically invalid.

In the second part of this testimony, I would like to outline for the subcommittee the policy directions we see emerging from research on bilingualism and bilingual education at this time.

We have observed that bilingual education is a very local and community-interactive phenomenon, which has to be designed and evaluated in the linguistic and social context where the school is situated. This argument is supported by over 40 studies, reviewed, and analyzed in an article already given to staff.

In order to prescribe a certain mix of languages, the policymaker must know certain linguistic and social characteristics of the environments which, according to research evidence, provide functional power to the school's program.

Senator STAFFORD. I hate to be hard-hearted about this, but it is the only way we can get the job done and hear as many people as possible. So we will place the balance of your statement in the record.

Dr. LLANES. Thank you.

[The prepared statement of Dr. Llanes follows:]

Prepared By
Dr. Jose Llanes
April 26, 1982

On behalf of LULAC, my colleagues at Cal-State and myself I want to thank the Committee for this opportunity to offer testimony. Mr. Chairman this testimony is in two parts. The first part deals with the Draft Final Report of Adrianna de Kanter and Keith Baker on the "Effectiveness of Bilingual Education." The second part offers some recommendations on how the Act may be amended to coincide with current theoretical and practical understandings on the education of limited English speaking (LEP) students in the public schools.

First we would like to state that we agree with the general assessment contained in the memo from the Chief of the Department of Education's Legal Standards and Policy Branch. In this memorandum it is pointed out that, "The de Kanter/Baker report's conclusions are invalid and of little relevance to federal policy or to local educators concerned with providing equal educational opportunities to language minority students." The memo goes on to identify "four fallacies" contained in the report, three of which according to the memo ~~(quote)~~"involve an unwarranted simplification of complex educational realities." ~~(unquote)~~ We couldn't agree more.

At the present time, the data, analysis and synthesis of research in U.S. bilingual education (BE) remains largely undone. There is considerable data from Mexico, Peru, Sweden, Canada and the Phillipines all agreeing with the current policy direction, namely that limited-English speaking students should receive a certain minimum instruction in their home language, before being transferred into an all-English curriculum. The minimum varies according to study method, foreign national community characteristics and the objectives of the bilingual education program under study, but there is wide agreement that transference to the all-English curriculum should not take place before the child has developed what Psycholinguist James Cummins has called CALP or Cognitive Academic Linguistic Proficiency, a language rich enough to handle conceptual academic information. There is, however, no body of similar data based on U.S. programs at this time. To do a summary of all that is known about U.S. Bilingual Education at this time, which is what de Kanter/Baker presume to do, would be like sending a case to the jury before one side has had a chance to present its evidence. The reason is that these data are forthcoming from 48 studies, a list of which has been submitted as part of this testimony, which were designed and contracted by the National Institute of Education and the Department of Education and are currently nearing completion. These studies, once synthesized and published, may provide specific guidance on which aspects of the theory of bilingual education can be said to be operant in the U.S. context.

The case for immersion as a treatment for LEP is made by de Kanter/Baker on the basis of three studies. Only one of them fits the criteria de Kanter/Baker outlined, a Canadian study which the authors themselves claim is not relevant to the U.S. case, the St. Lambert Experiment. The purpose of the Canadian experiment is to add a language (French) to English-speaking Canadian children without expecting that they lose their English skill and in fact expecting to fully maintain both languages throughout their life. The U.S. case is different. The BE Act is subtractive, in that it does not seek to retain the mother tongue, but to subtract it, leaving in its place the second language. The comparison is invalid and every critique to de Kanter/Baker has made this point. In order to reinforce the point I called the principal investigator of the Canadian studies, the psychologist Wallace Lambert, and he asked that I read you his reaction to the use of his study to substantiate the claims that immersion programs like the Canadian experiment are suitable alternatives to BE:

> It is totally wrong to use our study of immersion in Montreal to justify a similar approach with non-English speaking students in the U.S. The only possible parallel is with native English-speaking students in the U.S. being introduced to Spanish or Portuguese.
>
> For anyone who comes from a home language background other than English (such as the French and Ukranians in Canada and the Hispanic, Navajo or Vietnamese in the U.S.) we recommend that a prolonged period of home language instruction be given, either before or concurrent with English language instruction. To fail to do that is to put them at a tremendous disadvantage intellectually, attitudinally and socially and to keep them there for the rest of their lives.
>
> The popular Canadian and American myth - Dr. Lambert says - which points at someone's grandfather who came from Poland or Italy, learned English and made a million dollars, without the help of bilingual education, is a story which is statistically invalid (unquote).
>
> (Wallace Lambert, personal communication, April 23, 1982)

Another point in which we differ with de Kanter/Baker has found its way to the proposed legislation. It relates to the duration of treatment for LEP students which may be judged sufficient to shop bilingual effects. S. 2002 sets a limit of one-year and de Kanter/Baker's review of programs of Bilingual Education which showed poor results was largely constructed on one-year effects. We interpret the poor results as indications that the one-year duration of the treatment reported in those studies is not long enough. What de Kanter/Baker failed to note is that the successful bilingual outcomes or effects, noted in the literature are most often registered in the third year of testing, giving rise to the hypothesis (currently being researched by two of the ongoing studies mentioned earlier) that successful bilingual program outcomes would begin to show during or after the year of treatment. Bilingual Education, we believe, is like a 4-minute egg. In order to produce a 4-minute egg, the egg has to be boiled for the full four minutes, and to break the shell open at the end of one minute to see how the egg is doing would yield the result that the yolk is runny and the white is clear, and those are the supposedly unsuccessful results de Kanter/Baker reported.

In conclusion, we believe that some of the effects of Transitional Bilingual Education reported by de Kanter/Baker are to be expected since the minimum duration of bilingual treatment appears to be longer than the "end of one year" outcomes some of the studies measured. To transfer students to an all-English curriculum after one year as S. 2002 proposes is to compound the problem, and to ensure that only a small percentage of Limited English speaking children succeed in the American public schools.

We summarize these three points as follows:

We, along with 12 other scholars in the field who have read and critiqued the de Kanter/Baker report, believe that the Report fails to find studies of successful bilingual education programs in the United States because it unnecessarily excludes them.

II. In the second part of this testimony we would like to outline for the subcommittee the policy direction we see emerging from research on bilingualism and BE, and while we remain cautious until the 48 studies have been fully analysed, we can at this time articulate the most powerful evidence we have encountered in our own analysis of U.S. and foreign data.

1. We have observed that BE is a very local and community-interactive phenomena which has to be designed and evaluated in the linguistic and social context where the school is situated. This argument is supported by over 40 studies reviewed and analysed in an article already given to staff. The argument is also presented in the Office of Education's memo alluded to earlier.

In order to prescribe a certain mix of languages and duration of a Bilingual Education or English as a Second Language or Immersion program, the policy maker must know certain linguistic and social characteristics of the environments which, according to research evidence, provide functional power to the school's program. In these communities, TBE is more effective than in communities where no such functional power exists.

But the best results do not come from TBE at all, but from the additive BE which the Canadians have studied for over 10 years.

To summarize this point, the most successful Bilingual Education we have found has been in locales where "functional power" exists and where the objective is to add a language, not subtract the home language. The objective should be to develop bilinguals from all ethnic groups, for the global and national importance of this action, bringing in the wake an educational system that provides true equality of opportunity for LEP students and to do so in a fashion that pays close attention to communities' linguistic and social qualities.

As education philosopher Rene Dubos put it in his last article before his death in March, "We must think globally and must act locally."

2) There has been much concern expressed over the large numbers of native English speakers who are part of the local program of Title VII. From an applied scientist's perspective the presence of these large numbers can only help to design the type of Bilingual Education which is most helpful to all concerned: the LEP, monolingual English speakers and the nation. We are referring to the type of bilingual education that is called "two way bilingual education" where both LEP and PES (Proficient English speaking) children would be expected to learn to function in a second language and where the objective is additive and the community provides functional power.

In these settings - such as the Coral Way School and the Miami Gardens School in Dade County, Florida , as well as other schools in New York and California - achievement in both languages has traditionally exceeded national norms for the population. The reason is as basic as democracy itself. Since all children participate and receive the benefit of the dual language skill, and together assume the burden of learning an additional language, a burden which does not retard programs in the English language, but enhances cognitive skills such as cognitive flexibility and semantic richness, two-way BE places all children on an equal footing. We are joined in these recommendations by the recent policy document of the Edward H. Hazen foundation and the Academy for Educational Development as well as by testimony presented to Congress by those who have testified before me and in previous hearings on this act going back to 1972.

The opportunity to enact a more productive type of BE will be yours when you consider S. 1817 side by side with the reauthorization plans for Title VII.

3. In communities where little functional power exists for home language education, and where two way BE would not be feasible, another type of BE is recommended. This BE violates some psyscholinguistic understandings outlined earlier since it seeks to introduce the student to English before he/she is theoretically ready to do so.

In these communities, students' home language would be taught in a developmental curriculum, and an ESL program put in place to teach the Cognitive Academic Language to the student, to make him/her ready for the all-English curriculum.

In these communities English is to powerful and attitudes against other languages so negative, that any attempt to teach in another language will be faced with a great deal of opposition socially, culturally and politically and no linguistic support would be present outside of the school.

In summary we recommend that the amended BE Act carry with it provisions for the approval of program applications on the basis of community and school characteristics. The policy should be clear and simple:

A) Where functional power exists (by virtue of the fact that a large percentage of the school population speaks other languages, and other language resources exist in the community), the legislation should recommend two-way additive BE.

B) Where functional power does not exist, a program of home language development and ESL should be recommended by the legislation.

These technical terms and the differences they share are not well understood by all local schools and left to their resources local educators may not perceive the subtle differences in approach which may lead to irreparable damage to LEP students. Thus Congress must assume the responsibility for abstracting what has been learned from this national experiment in TBE and prepare legislation consistent with this knowledge, aware of local community differences and the impact these differences will have on the success of its policy.

The best time to do this would be in 1984 when Title VII is to be reauthorized and when a national synthesis of research findings is made available to Congress by the Department of Education's Part C Committee and in the meantime it should resist the swinging pendulum of popular educational rhetoric which will bring us back to the days when only 4% of the Mexican-Americans finished high school, when Anita Lau sat in the San Francisco Public Schools traumatized by the all-English curriculum which, according to the Supreme Court ruling in the case of Lau vs. Nichols, "clearly denied her the opportunity to be equally educated." We must resist the temptation to turn back the clock and instead look ahead to the 21st century when this nation will be either suffering the consequences of having denied equal education to fully 20% of its population or benefit from the outcomes of having educated these students to become productive members of this society.

Given all that is now known about BE we recommend that you reject both the BE amendments S. 2002 and the BE Improvement Act, S. 2412 based upon de Kanter/Baker and set a new, better informed course, toward realizing the full potential of all Americans regardless of their home language background.

Senator STAFFORD. The next witness will be Dr. Cruz.

Dr. CRUZ. Mr. Chairman and members of the committee, my name is Robert Cruz, president-elect of the National Association for Bilingual Education, representing 32 State affiliates with over 20 million loyal Americans whose native language is not English. I am also here on behalf of the National Advisory Council on Bilingual Education, a body created by Congress in 1974 to advise Congress and the Secretary of Education on the needs of language minority children and the state of the art of bilingual education in the United States.

On behalf of the National Association for Bilingual Education and the National Advisory Council on Bilingual Education, we strongly urge the Senate to reject the proposed administration's bilingual education amendments of 1982 and Senate bill 2002. While we support programs that insure that a once-limited English proficient student can successfully compete in an English classroom, we are opposed to legislation which would deny children instruction in a language understandable to them and deny services to over 2 million eligible children.

Also speaking on our behalf is internationally renowned bilingual education researcher, Dr. James Cummins.

Dr. CUMMINS. Good morning, Mr. Chairman.

Senator STAFFORD. Good morning.

Dr. CUMMINS. My testimony this morning deals primarily with research evidence regarding the effectiveness of bilingual education and the importance, from a pedagogical point of view, of including a primary language component in programs for language minority students.

It is appropriate to note, first, that bilingual education is not a uniquely American phenomenon. In fact, bilingual programs are found in a large majority of countries in the world, either as a means of teaching foreign language skills, or in order to provide equality of opportunity for language minority students.

The substantial number of longitudinal evaluations of these programs are virtually all consistent in showing one thing—that concepts and academic skills transfer across languages, with the results that students taught through a minority language for part of the school day perform as well, or in many cases, better than equivalent students taught entirely through the majority language.

Thus, at an international level, the pedagogical basis of bilingual education is well established and universally accepted by researchers who have worked in the field. The relevance of this in the present context is that the common assumption that bilingual programs will impede the acquisition of English is refuted by an enormous amount of research data.

Research evidence from the United States is entirely consistent with the international data insofar as it shows clearly that bilingual education facilitates the acquisition of English literacy skills for language minority students. For example, statewide evaluations in Colorado, Michigan, New Jersey, and New York show that bilingual education programs are in fact succeeding in advancing the English literacy skills of language minority students toward national norms. In the New Jersey study, for example, it was concluded that "New Jersey's bilingual education program effectively promotes development of these English skills. Added time in the program is related to increased abilities to read, write, speak and understand English." The fact that students who spent more time in the bilingual program, did better in English academic skills supports the findings of many smaller studies that the effects of bilingual education are cumulative. For example, in the Nestor school program in San Diego, language minority students gained an additional .36 of a year's growth in English reading for each consecutive year they spent in the program.

Thus, the research data from these and many other programs show that the effects of bilingual education are cumulative. In other words, the more time the student spends in a bilingual program during the elementary school years, the more likely he or she is to approach grade norms in English academic skills.

In view of the research data regarding the cumulative positive effects of bilingual programs, it is clearly antieducational to place an arbitrary limit of 1 or 2 years on the time the child spends in the bilingual program. This conclusion is reinforced by the findings of perhaps the best evaluation of a preschool Head Start program that has ever been conducted. I am referring to a study released just this month by the U.S. Department of Health and Human Services, conducted under the supervision of Dr. Steven Martinez, who is in the audience this morning, which found that children in Head Start bilingual/bicultural curriculum models made significant gains over comparison groups in English-only programs, in their ability to use, understand, and think abstractly in English. The study also found that despite these gains, 1 vear in a bilingual preschool curriculum was insufficient for language minority students to reach the level of competence in English necessary for them to compete successfully with English-speaking students. In this regard, the research evidence clearly shows that although many language minority students become fluent in superficial, surface level English speaking skills, it takes considerably longer for the conceptual roots of English proficiency to grow sufficiently deep to provide a basis for strong and sustained growth of English literacy skills, for its research findings and the experience of many teachers across the country show that students who immigrate after several years of education in their primary language have better educational prospects than minority students born in this country whose primary language has never been reinforced by their schools.

[The prepared statement of Dr. Cummins follows:]

Testimony of Dr. James Cummins
Ontario Institute for Studies in Education

Research evidence related to four issues is considered in this testimony:

a. the effectiveness of bilingual education;

b. the inadequacy of time-based exit criteria;

c. the necessity for literacy-based exit criteria;

d. the importance of insuring that teachers can communicate with those they are supposed to teach.

THE EFFECTIVENESS OF BILINGUAL EDUCATION

The major educational question related to the effectiveness of bilingual education is whether bilingual education has effectively promoted English skills for language minority students. When you only examine the data from all the recent state-level evaluations of bilingual programs to answer this question in the affirmative from positive state-wide evaluations in Colorado, Michigan, New Jersey and New York it is clear that bilingual programs are overcoming the inevitable initial implementation difficulties and pushing minority students towards acceptable levels of English academic skills.

The New Jersey study, for example, concludes that, "New Jersey's bilingual educational program ... effectively promotes development of these English skills. Added time in the program is related to increased abilities to read, write, speak and understand English." (1981, p. 21)

The fact that students who spent more time in the bilingual program did better in English academic skills supports the findings of many smaller studies that the effects of bilingual education are cumulative. For example, in the Nestor School Program in San Diego language minority students gained an additional .36 of a year's growth in English reading for each consecutive year they spent in the program.

Another indication of the effectiveness of bilingual education is its success in Colorado in promoting academic skills for both Anglo and minority students. More than 90% of the 39 programs for which data were available reported that limited English proficient students showed a rate of academic progress at least as good as that normally expected for all students. More surprising, however, was the fact that 50% of the programs showed growth rates in English academic skills for language minority students well beyond the normal expected growth rates for all students. These results are especially significant in view of previous research in Colorado showing that Hispanic students tended to fall progressively further behind grade norms during the elementary school years.

In summary, from researchers in the field the effectiveness of well-implemented bilingual programs as a pedagogical tool for promoting overall academic skill is beyond dispute.

THE INADEQUACY OF TIME-BASED EXIT CRITERIA

The research data show clearly that the effects of bilingual programs are cumulative. In other words, the more time the student spends in a bilingual program during the elementary school years the more likely he/she is to approach grade norms in English academic skills. There is no educational basis for placing an arbitrary limit of one year or two years on the time the child spends in a bilingual program. Such a provision, in fact, is clearly anti-educational in view of the data regarding the cumulative positive effects of bilingual education.

THE NECESSITY FOR LITERACY-BASED EXIT CRITERIA

Research shows clearly that many language minority students become fluent in surface aspects of English relatively quickly but that it takes longer for the conceptual roots of English proficiency to grow sufficiently deep to provide a basis for strong and sustained growth of English literacy skills. To exit students on the basis of superficial oral English skills only is akin to denying that literacy skills have anything to do with equality of educational opportunities. If equality of opportunity is to mean anything, then students must be provided with sufficient literacy skills in English to compete on an equal basis with monolingual students.

The research shows that a good basis of literacy in the primary language provides the surest foundation for the development of English literacy.

THE IMPORTANCE OF INSURING THAT TEACHERS CAN COMMUNICATE WITH THOSE THEY ARE SUPPOSED TO TEACH.

If teachers can not communicate with the limited English proficient child then their ability to teach the child is severely reduced. To relegate this role to instructional aides alone is undesirable since the aide will generally have less pedagogical expertise than the teacher. Thus, every effort should be made to provide initial instructional experiences for the child which will fully promote his/her future academic success. This is difficult, if not impossible, to do in a language the child does not understand.

Senator **STAFFORD**. Thank you very much.

Dr. Tucker?

Dr. **TUCKER**. Mr. Chairman, I am honored to appear before this subcommittee on behalf of the Center for Applied Linguistics. CAL has for 23 years been involved in research, technical assistance, and evaluation activities in diverse bilingual education programs in the United States and abroad. I myself have been involved in the implementation and evaluation of bilingual education programs in Asia, Africa, the Middle East, and in North America.

It is on the basis of this accumulated knowledge and experience that we affirm our unequivocal support for bilingual education as a viable educational approach for language minority students. While it is our contention that all students must develop the ability to understand, speak, read and write English so they can effectively participate in school and in later life, we argue that it is of equal importance that these students develop the same language skills in their native tongue. We also support the notion of bilingual education for English mother tongue students in the United States, which for them means developing proficiency in a second language. That is, I want my child to have an opportunity to develop proficiency in another language in addition to her mother tongue, which is English. The results of careful empirical and longitudinal research and many studies throughout the world have demonstrated that the development of bilingual skills is associated with greater cognitive development and scholastic achievement. A bilingual education program can be an effective vehicle for furthering the development of language resources in the United States. We welcome the opportunity to offer comments this morning.

The changes proposed by Senator Huddleston and by Senator Hayakawa are cause for concern for several reasons. First, let us comment on those proposed by Senator Huddleston. We commend him for his attempt to clarify the language of the Bilingual Education Act, and we are certain that the Senator and his staff are keenly aware of the important role language plays in education and national development. We do question, however, the fact that many of his efforts are undermined by basing his legislation on certain assumptions drawn from the Baker and DeKanter report. This unofficial study, which has yet to be as noted seriously misrepresents what is known about English language teaching and immersion programs. Everyone always refers to the St. Lambert Program. I am from the St. Lambert program. Prof. Wallace Lambert and I evaluated for 13 years the cumulative effects of the St. Lambert program. The authors claim that English immersion would be a reasonable substitute for bilingual education programs for language minority youngsters in the United States. They base their conclusion on the reported success of three programs: The St. Lambert program, the Culver City program, and the program in McAllen, Tex. These programs, in fact, utilized both the student's home language and a second language for instructional purposes. The goal of these cited programs is to develop dual language proficiency by using the student's native language and a second language for instructional purposes.

Wally Lambert and I have, on numerous occasions, unambiguously and explicitly stated:

> The claim that the results of studies of Canadian immersion programs lead to the conclusion that minority group youngsters in the United States, Canada, or the third world should be immersed or submerged in the target language is false.

And we go on to talk about this in some detail.

On the other hand, we support wholeheartedly Senator Huddleston's efforts to insure that there is an English language arts component in all bilingual programs. We contend that a good bilingual education program, by definition, will include an English language arts component for all students. We have serious question, however, about the proposed elimination of the reference to the use of "native language" as a means to achieve competence in English, and we raise for consideration the fact that at one point, the draft legislation seems to strike "native language," and at another point, it leaves it in. We think there is ambiguity there.

We also are concerned about the definition, the proposed change in definition of limited English proficiency to include only those students who "have difficulty speaking and understanding." We think that reading and writing are crucial as well.

In the administration's legislation, we are concerned about the restriction or the lack of attention to native language proficiency on the part of the teacher. We believe that the teacher must be proficient in the language of the student. We also support many of the recommendations noted by Professor Cummins.

As a final note, let me indicate for the record that Congress, as you well know, has authorized and appropriated more than $6 million for a comprehensive research and evaluation effort known as the part C research agenda. These studies are funded and organized in three general research categories. There are over 50 studies under way, many of which will provide us with the information to judge the effectiveness of the current bilingual education effort. In addition, the Center for Applied Linguistics, on April 16, received a grant from the Hazen Foundation, a private, philanthropic foundation, to study the efficacy of immersion education as an educational alternative.

We urge members of this subcommittee, rather than making precipitous changes, which may prove to be detrimental, to withhold action until the studies have been completed.

[The prepared statement of Dr. Tucker follows:]

Testimony of G. Richard Tucker
before the
Subcommittee on Education, Arts, and Humanities
of the
U.S. Senate Committee on Labor and Human Resources
April 26, 1982

Mr. Chairman and Members of the Subcommittee:

I am honored to appear before the Subcomittee to address the issue of the future of federal assistance for students of limited English proficiency (LEP). The Center for Applied Linguistics (CAL), since its founding 23 years ago, has been concerned with the role of English and native language instruction for language minority students in the United States. During this time, CAL has convened conferences, conducted and monitored research, published reports and provided information and feedback to legislators and policymakers at the federal, state and local levels of government. CAL staff members have been personally involved in research, technical assistance and evaluation activities in diverse bilingual education programs in the United States and abroad.

It is on the basis of this accumulated knowledge and experience that we affirm CAL's unequivocal support for bilingual education as a viable educational approach for language minority students. While it is our contention that all students must develop the ability to understand, speak, read and write English so they can effectively participate in school and in later life, it is of equal importance that these students develop the same language skills in their native tongue. We also support bilingual education for English mother-tongue students in the United States, which for them, means developing proficiency in a second language.

The results of careful, empirical, and longitudinal research in many settings throughout the world have demonstrated that the development of bilingual skills is associated with greater cognitive development and scholastic achievement.[1] The United States continues to have the dubious distinction of being one of the few highly industrial societies which does not promote the development of bilingual language skills in the schools. We continue to experience the negative repercussions of our monolingualism in international trade, diplomacy and national security matters. A bilingual education program can be an effective vehicle to further the development of language resources in the United States.[2]

We welcome the opportunity to offer comments concerning the proposed amendments in the Bilingual Education Act. The changes proposed by Senator Huddleston in Senate Bill S.2002 and the Department of Education amendments sponsored by Senator Hayakawa in Senate Bill S.2412 are cause for concern for at least two reasons. First, certain provisions run contrary to research findings compiled in the United States and elsewhere; and second, in many instances, they contradict the experience of practitioners--teachers, supervisors and administrators--over the last decade. In the remarks to follow, we will first offer brief comments on the bill proposed by Senator Huddleston; and then on Senator Hayakawa's proposal.

We commend Senator Huddleston for his attempt to clarify the language of the Bilingual Education Act and we are certain that the Senator and his staff are keenly aware of the important role of language in education and national development. It is unfortunate that Senator Huddleston's efforts are undermined by the fact that the basic assumptions of his legislative amendments are drawn from the controversial Department of Education report authored by de Kanter and Baker.[3] In his Dear Colleague letter, Senator Huddleston states,

> "A recent Department of Education report conclusively shows that bilingual education has not been effective and notes that there is no justification for assuming that it is necessary to teach limited English speaking students in the child's native language in order for the child to progress in school."

This is simply not true. This unofficial study, which has yet to be signed by Secretary Bell, seriously misrepresents what is known about English language teaching and immersion programs. The authors claim that English immersion would be a reasonable substitute for bilingual education programs for language minority youngsters in the United States. They base their conclusion on the reported success of three programs which, in fact, utilize both the students' home language and a second language for instructional purposes.[4] The goal of these cited programs is to develop dual language proficiency by using the students' native language and a second language for instructional purposes.

At this point, we would like to unambiguously and explicitly state for the record as Wallace Lambert and Richard Tucker have noted elsewhere:

> "The claim that the results from studies of Canadian immersion programs lead to the conclusion that minority group youngsters in the United States, Canada, or the third world should be immersed or submerged in the target language is false....
>
> We [Lambert and Tucker] have not previously and we will not in the future recommend, on the basis of these careful, critical, and longitudinal studies, that Mexican American, Franco-American, or other non- or limited English-speaking youngsters in the United States be submerged in English medium programs. We believe that the appropriate inference to be drawn is exactly the opposite."[5] (See Appendix 1).

On the other hand, we support wholeheartedly Senator Huddleston's efforts to ensure that there is an English language arts component in all bilingual programs. We contend that a good bilingual education program, by definition, will include an English language arts program for all students. We seriously question, however, the proposed elimination in Sec. 2. Section 702 of the reference to the use of "native language" as a means to achieve "competence in the English language." This proposed change is particularly troublesome because it is inconsistent with Sec. 4. Section 703(a)(4)(A)(ii) of the amendment which defines a program of bilingual education as one in which:

> "...there is instruction given in, and study of, English and, to the extent necessary to allow a child to achieve competence in the English language, the native language of the children of limited English proficiency... [can be used]".

Furthermore, we have serious reservations concerning Sec. 3. Section 703(a)(1) of the amendments which would substantially change the definition of limited English proficiency to include only those students who "have difficulty speaking and understanding instruction in the English language". The deletion of reading and writing skills as eligibility criteria for participation in bilingual education programs conflicts directly with the results of research studies and classroom experience.6 There are thousands of students who speak English with some facility but are unable to read or write well enough to be able to "progress effectively through the educational system".

Researchers and practitioners have repeatedly cautioned that we must examine an individual's ability to use each of the language skills necessary to succeed in school. Educators must be particularly concerned about the child's ability to read and write effectively in the English language if that child is to profit from instruction. It has been amply demonstrated that learning to read in English is facilitated when the child is first taught to read in the native tongue.7

Lastly, S.2002 is naive in its proposed imposition of an arbitrary one-year limit on participation in bilingual education programs found in Sec. 5.(a) Section 721(b)(3)(B). Research has consistently demonstrated that bilingual education has positive and cumulative effects on school achievement, which may only manifest themselves after three or four years of participation in such programs. Research also informs us that extended education in the students' native language enhances and expedites acquisition of English language skills. Indeed, the evidence suggests that a premature termination of instruction via native tongue may delay the cognitive and linguistic development of the participating children.

Let us now focus on Senator Hayakawa's proposed legislation, Senate Bill S.2412, which we feel contains three major weaknesses. First, in Sec. 2 Section 703(a)(4)(A), the term 'program of bilingual education' is so broadly defined that it may permit a school district to implement any type of language program, including a monolingual or "immersion" English class. Bilingual, by definition, means two languages, and the interpretation in this bill is confusing, to say the least.

It should be noted that Title I funds are currently used to provide English language programs for limited English-speaking children. Given that this bill seeks to reach those "underserved by programs of bilingual education", and those who speak and understand little or no English, it is inappropriate to open up the program to other approaches which do not make any attempt to utilize a language the students can understand.

A second weakness in S. 2412 concerns Sec. 3 Section 721(b)(3)(B)(a) which would diminish language proficiency requirements for teachers, no longer requiring them to understand the students' native language. We appreciate the need for teachers to be proficient in English; however, the most effective elementary school teachers also have a demonstrated ability in the students' home language.8

A third shortcoming of the Hayakawa Amendment relates to Sec. 4. Section 723 (a)(1)(C) which seeks to establish vocational training programs for limited English proficient persons, including out-of-school youths and adults. It is important to note that students in school would be eligible for bilingual vocational training under the Title VII basic grants program. Thus, the most needy group--high school dropouts--would have to compete against those students for the small amount of funds available for these efforts. We recommend that the bilingual vocational set-aside be reserved only for out-of-school youth and adults.

As a final note, we believe that the record should show that Congress has authorized and appropriated more than six million dollars for a comprehensive research and evaluation effort known as the Part C Research Agenda. These studies are funded and organized in three general research categories: 1) assessment of national needs for bilingual education; 2) improvement in the effectiveness of services to students; 3) improvement in Title VII program management and operation. There are over 50 studies under way, many of which will provide us with the information to judge the effectiveness of the current bilingual education effort. Rather than making precipitous changes which may prove to be detrimental to the educational development of all American children, we urge that the Subcommittee withhold action until the studies you have mandated are completed.

Footnotes

[1] The following selected references draw upon studies which show that the acquisition of bilingual skills is associated with greater cognitive development and scholastic achievement:

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Implications for U.S. Bilingual Education: Evidence from Canadian Research

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This paper was delivered at the Third Annual National Title VII Bilingual Education Management Institute, November 4-8, 1979, in Washington, D.C. It also appeared in the November 1979 issue of the NABE News.

Over the last 15 years, Wally Lambert and I have been concerned with questions of bilingual education and the role of language in education not only in Canada but also in many parts of the world. Much of the research that has been done in places such as Canada or other parts of the world does have direct reference and application to the United States.

During the past year or so, it has become increasingly clear that, despite explicit warnings to the contrary, many American educators have interpreted the abundant Canadian research data (summarized by Lambert and Tucker, 1972; Swain, 1974; Swain, 1976; Swain, 1978) as offering empirical support for the immediate submersion or mainstreaming of limited or non-English-speaking youngsters in monolingual English-medium classrooms. They have claimed that the Canadian research has demonstrated that a child—any child, English, Canadian, Mexican American, ethnic Chinese—can learn a second language and content material simultaneously. Although this general assertion is, in all probability, correct, it does not mean that the most effective way to educate every child, regardless of demographic, sociopolitical, or other circumstances, is by submersion in a second language.

I'd like to summarize the salient characteristics of the Canadian experience and to try to draw generalizations regarding what we have learned. Then, I'd like to summarize very briefly the salient characteristics of United States bilingual education and see what interface there is, if any, between the two systems.

The Canadian Experience

Let us consider for a moment the circumstances under which the Canadian "immersion" programs (which Canadian educators refer to as "bilingual education" programs) were undertaken and from which the data were collected.

1. The French-immersion programs have been designed for Anglophone youngsters in response to continued parental dissatisfaction with the level of French attained by children participating in English instructional programs with French-as-a-second-language components. For the most part, the participating youngsters speak, as their mother tongue, English, the language of higher prestige and higher ascribed status. Within the North American setting, the target language French has relatively lower ascribed social and economic status even though it, too, is an important world language and the individual who adds French to his/her repertoire, particularly in Canada, is likely to benefit.
2. Participants in the immersion programs throughout Canada have, for the most part, come from families of middle to lower-middle socioeconomic backgrounds.
3. Participation in such programs has always been voluntary, and parents have always had the alternative of sending their children to traditional schools in the immediate neighborhoods which offer instruction only in English.
4. Parents have, from the very beginning of the programs, played an extremely strong and catalytic role in all aspects of program design, development, and implementation. In fact, it was parents—rather than school board officials, teachers, or university scholars—who relentlessly pressured school board officials to develop this innovative approach to second language teaching.
5. The early immersion approach most typically implemented involves introducing children to school in French, the second language, from the very beginning. French is used for all initial readiness activities and it is the language of initial reading instruction. For the most part, the language skills of entering children are uniform. All speak English as their mother tongue and live in neighborhoods populated by English-speaking playmates. They speak virtually no French upon entrance.
6. Despite the fact that French is used as a major medium of primary instruction, an English language arts component is, nevertheless, added to the curriculum during grade two or grade three at the option of the principal. This addition serves to mark explicitly the continuing

importance or status of English as a valued language and helps to solidify formal language skills. The programs which are designed and which are encouraged are maintenance bilingual programs and are intended to lead toward what Wally Lambert has called "additive" bilingualism, the addition of another language without giving up one's own language.

7. The Canadian federal government provides financial support for innovative second language teaching. In fact, in FY 1979, it provided $170 million vs. approximately $150 million in the United States (for a Canadian population of 22 million vs. a U.S. population of 220 million). The important difference, however, lies not so much in the amount of the support but in the way the government of Canada allocates the funds. It does so on a per capita basis to the provinces which then distribute funds to the local educational agencies —a format quite different from that followed in the United States.

These general features characterize the programs which now exist in many communities throughout all ten Canadian provinces. It is not appropriate in this paper to reiterate in detail the research results reported to date. However, by way of summary, the consensus of researchers who have worked with large groups of different children participating over long periods of time in programs in different schools, school boards, and provinces is that, for these youngsters, an innovative approach to second language teaching in which the target language is used as the sole or major medium of classroom communication facilitates second language acquisition without causing any detrimental effects whatsoever to native language development or to general cognitive or social development. In addition, the youngsters perform as well as their English-taught peers on achievement tests in content areas such as math, science, or social studies (cf., Lambert and Tucker, 1972; Swain, 1976; Cziko, Lambert, Sidoti, and Tucker, 1978).

Conclusions from the Canadian Experience

On the basis of evidence such as this, we have argued (Lambert and Tucker, 1972; Tucker, 1977a; Tucker, 1977b) that in settings where the home language is highly valued by all members of the community, where parents actively provide encouragement and support for the acquisition of literacy in the mother tongue, and where a community stereotype exists that the children will succeed, it would seem fully appropriate to begin schooling in the second language. But, these are very restricted conditions under which we would make this recommendation. These inferences also find support in the research and theorizing of Skutnabb-Kangas (1975) and of Cummins (1978) who proposed that a child must attain a threshold level of competence in the target language to be able to profit from instruction in that language. That is, there is a threshold or a minimal level of linguistic competence that must be reached to avoid cognitive disadvantage as well as to allow the beneficial aspects of becoming bilingual to accrue. Furthermore, the development of second language skills is dependent upon the adequate development of mother tongue skills. That is, if mother tongue skills are not adequately developed, the introduction and promotion of a second language may actually impede cognitive or linguistic growth. This critical language development is something which we believe can occur at home, which we think it seems to do in Canada, or obviously in school. So we want to look at what is causing this to happen in a corporal school environment or in a stimulating nonschool environment.

We have not previously and we will not in the future recommend, on the basis of these careful, critical, and longitudinal studies, that Mexican American, Franco-American, or other non- or limited English-speaking youngsters in the United States be submerged in English medium programs. We believe that the appropriate inference to be drawn is exactly the opposite.

The United States

Various facets of the contemporary American experience with bilingual education have been described, and it is not the intent of this paper to repeat those descriptions (see, for example, Andersson and Boyer, 1978; Schneider, 1976; Troike, 1978b). It is relevant to note, however, that despite more than ten years of federal support for bilingual education, very little critical, empirical, or longitudinal research has been conducted. One notable exception is the evaluation of the Navajo-English bilingual program at Rock Point Community School. The interesting thing about that study is that when you look cross-sectionally at any grade (grade 3, 4, 5) you are not overwhelmed by what you see of bilingual education as revealed by yearly testing. However, when you look at the cumulative impact or when you take a retrospective look, which is now possible because these youngsters have graduated from their elementary program, what you see is indeed impressive. The gains are both statistically significant as well as psychologically meaningful. Troike (1978) provides a good summary of the scanty but relevant research as does Paulston (1977).

The intent of this section is not to bemoan the paucity of American research, but rather to attempt to identify some of the salient characteristics of American bilingual education programs.

1. Present-day American Title VII or other government-supported bilingual programs have been designed, in a sense, as compensatory or remedial programs for limited or non-English-speaking youngsters who seem unable to profit from instruction in English. Separate programs have been designed for children from diverse ethnolinguistic backgrounds. In 1978-79 more than 500

Title VII basic projects were funded providing bilingual education in dozens of languages plus English, the language of higher ascribed social status. Typically, but not always, the mother tongue of the participating child is a language of lower ascribed social or economic status. This has not been the case in Canada.

2. Many of the participants in bilingual programs come from families in which the parents have not completed the local equivalent of the compulsory cycle of American education. Again, this is not the case in the Canadian setting.

3. Despite the provision in Title VII legislation for parental advisory committees, many parents are sadly uninformed or misinformed about the purpose, structure, or content of bilingual education programs in their communities. A survey conducted by staff at the Center for Applied Linguistics during academic year 1978-79 revealed that many parents felt cut off from school happenings and that many schools made no attempt whatsoever to communicate with parents in their mother tongue—even though they might speak no English whatsoever. I know that's probably not the general rule, but it happens, and we have to be cognizant of it.

4. The entry-level language skills of participating children are extremely heterogeneous. A Spanish-English class may include, for example, Spanish monolingual children, Spanish dominant children, children of questionable dominance in either language, English dominant, and English monolingual children. Needless to say, it is extremely difficult for even the most talented teacher, or team teachers, to reach such a diverse clientele. Likewise, many of the children live in linguistically heterogeneous communities. They often fail to receive encouragement or support from parents or peers to pursue extracurricular academic interests.

5. Unfortunately, in many communities negative stereotypes characterize the minority-group child, and it is "known" (i.e., assumed) that a disproportionately high number will be academically unsuccessful.

6. Federal legislation explicitly encourages transitional bilingual education. This legislation seems, on the one hand, designed to nurture the child's mother tongue and to encourage conceptual development in the strong language while introducing a second language; but, on the other hand, it abruptly withdraws recognition and credibility for the mother tongue as soon as possible and, in most cases, before the building blocks of the mother tongue have been solidified.

7. To date, there continues to be a scarcity of teachers trained explicitly to work in bilingual programs. Wagner ([illegible]) noted the discouraging fact that fewer than one half of teachers teaching through a non-English language, teaching ESL, or doing both had had even one bilingual education course, and only fourteen percent had had relevant training for teaching non-English language arts and content areas. Likewise, there exists a serious need for the continued development and improvement of curricula, materials, and testing instruments.

At this point, it is appropriate to reiterate that the scanty research evidence alluded to earlier (Rosier and Holm, in press; Troike, 1978a) does suggest that children will thrive when they are educated initially in their mother tongue and then later bilingually in carefully designed and well-implemented programs by sensitive teachers working in communities where there exists widespread knowledge and support for bilingual education.

Implications for U.S. Bilingual Education

The information summarized above, including a description of some of the salient and criterial attributes of Canadian, selected third-world, and American bilingual programs, leads to the following general conclusion: it would seem desirable to introduce children to schooling in their home language in settings such as the various ethnic communities in the United States, in multilingual developing countries, and in parts of Canada where groups of non-English/non-French-speaking residents have congregated and where the home language is one of lower ascribed social or economic status; where there does not exist uniformly high pressure within the home and community to encourage literacy and language maintenance; where many teachers in the educational system are unaware or insensitive to the values and traditions of the minority-group pupils. This schooling should take the form of a carefully developed language arts program integrated into a general curriculum in which content material is also taught in the mother tongue. The purpose is to sustain and to nurture youngsters' linguistic and cognitive development while teaching the second language and gradually introducing content materials in the second language, without abandoning the language arts or the content material taught in the mother tongue. This approach is consistent with the earlier suggestions of Lambert and Tucker (1972), Cummins (1978), Skutnabb-Kangas (1975), and Ojerinde and Cziko (1978). Furthermore, it should be added that there is no indication whatsoever from any research literature that transitional bilingual programs are pedagogically more effective than maintenance programs.

The claim that the results from studies of Canadian immersion programs lead to the conclusion that minority group youngsters in the United States, Canada, or the third world should be immersed or submerged in the target language is false. These results do, however, suggest that in certain social settings where the home language is highly valued, where parents and peer groups actively encourage literacy and mother tongue maintenance, and where it is assumed that the children will succeed, schooling can appropriately and without detriment commence in the second language. In fact, it has been argued elsewhere that the central problem facing us is to reach the "dominant-group" American in an attempt to drive home sensitivity to, awareness of, and interest in cultural diversity. I feel that one of the best ways of doing so is to encourage the development of immersion programs for Anglophone American youngsters.

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InterAmerica Research Associates, Inc.

Joel Gómez, Director
National Clearinghouse for Bilingual Education

Senator **STAFFORD**. Thank you very much, Dr. Tucker.

Mr. **ANDRADE**. Thank you, Mr. Chairman.

I appreciate the opportunity to come before you today. Senator Huddleston, during his testimony, asked to hear from other constituencies, so it seems to be very good that we are here today.

My name is Ron Andrade. I am executive director of the National Congress of American Indians. With me today is Dr. William Leap, the education director for the organization. We are here today to speak on behalf of the 170 Indian tribes which are members of NCAI, and to examine the proposed title VII amendments.

Title VII occupies a critical place in the educational services provided to the tribes by the Federal Government. Two hundred and six different Indian languages are spoken by the tribes. Students representing 56 of these language backgrounds—students enrolled in BIA, public, tribally controlled, and contract schools—are receiving title VII services. The actual language arts instruction supplied by these programs varies widely from site to site. There is great variability in the use made of ancestral language development by these programs. Still, it is clear to tribes that Indian children have to learn to survive in a predominantly English-speaking world. Hence, a stress on the development of effective English language skills is always integral to these programs, regardless of tribal context.

Mr. Chairman, NCAI voices great concern over many of the amendments under discussion before this committee today. Most, if enacted into law, would seriously disrupt the progress in Indian education which title VII has helped bring about in recent years. Perhaps more seriously, most would prevent tribes not currently served under title VII from utilizing to their fullest advantage the benefits which bilingual education can bring to the Indian student's schooling experience.

It is proposed to change section 703(a)(4) so that title VII programs would be defined solely in terms of English language acquisitional goals. Such a definition excludes any reference to the critical role played by ancestral language instruction in title VII programs. It also excludes any requirement that ancestral language arts be included in Indian schools receiving funding under the act. We remind you, Mr. Chairman, this was the way Indian students used to be educated before title VII became enacted. English was the only language used, and the only language permitted in the Indian classroom. The high incidence of English proficiency problems among the national adult Indian population shows that tribes are still suffering from the effects of those restrictions. We ask you not to impose those restrictions on the tribes once again.

The proposal to free the school district from the use of any required instructional strategy in its title VII program strikes a serious blow at tribal self-determination in education. We agree that there must be local flexibility in program design, so that the most appropriate remediation strategy can be supplied to Indian students at each site. If, however, local decisions of this nature are to be made, they must be made with the consultation and active participation of the affected tribes. School districts cannot be given exclusive responsibility for the setting of policies in Indian education. Under the current system, tribes are involved in every stage of the process of program design. NCAI wants to see that involvement strengthened, not diminished. It is proposed that teachers in title VII programs need to be proficient only in English and that ancestral language proficiency not be a requirement in their job descriptions. This proposal will prevent Indian title VII projects from involving parents, tribal elders, or other adults from the home community in the primary instructional tasks of these programs. The contributions these people can make to program effectiveness cannot be disregarded or so lightly dismissed. Their value here lies in their knowledge of traditional culture and of the relevance of those traditions for modern day problem solving—communication problems included. Such information can never be supplied by English dominant, non-Indian instructional personnel, regardless of their commitment and sincerity.

The plan to treat as title VII priority only those students whose "usual language" is other than English is not compatible with eligibility extended to Indian students under section 703(a)(1)(C) of the act. Just because an Indian student's "usual language" is English, and not the language ancestral to his tribe, does not mean that the student is free of English language proficiency problems.

Frequently, we find the English of Indian students will contain pronounciation patterns and rules of sentence form which are characteristic of their tribe's Indian language. This happens even if the students themselves are not speakers of that language and do not use the language in daily conversation. As you see, Mr. Chairman, we are concerned that many amendments proposed would seriously endanger the Indian programs. We have other concerns that we will submit for the record much more broadly, but we wanted to detail at least some of our concerns for the record.

We would be happy to answer any questions, Mr. Chairman.

[The following material submitted by Mr. Andrade follows:]

Additional concerns of the National Congress of American Indians regarding proposed changes in Title VII, Bilingual Education Act, include the following:

1. The proposed amendments seem to be motivated by an assumption -- that Title VII, as currently operated, allows projects to use only a single language arts strategy in the remediation of L.E.P. students. This assumption is not consistent with the facts, at least in so far as Indian-oriented Title VII projects are concerned. Transitional bilingual education, in Indian country, includes programs where English language instruction is given primary weight, with native language instruction used to reinforce English-based information; as well as projects where classroom instruction is carried out in the ancestral language, with English used as a focus for language arts development and nothing more; as well as projects where native language as well as English language serves as the media for instruction and the target for language arts development. You must remember that there are over 200 different and distinct Indian languages still spoken in the United States; this means, at minimum, more than 200 different mixtures and balances between Indian and English language fluencies exist in "Indian country". Such conditions inescapibly call for varieties of solutions to student language-related educational needs. Title VII, as currently designed, has proven itself to be sufficiently flexible to respond to local needs in locally appropriate terms. NCAI would hate to see this flexibility become altered by such unnecessary proposals as the recommended shift in Title VII emphasis from true bilingual education to English-only language instruction.
2. NCAI is opposed to the proposal to amend section 703 (a)(4), so that LEA's will not be required to use any particular approach -- i.e. will not be required to use a BILINGUAL approach -- in the remediation of the language arts needs of L.E.P. students. It is clear that ESL strategies, however 'intensive' they may be, are not sufficient to meet the language arts needs of Indian students. As we note earlier in the testimony, Indian students have been subjected to intensive ESL for years, and the Indian English problem remains with us. NCAI does not want to see the school districts set free to reverse recent trends

and return to archaic instructional strategies. NCAI does want to see the most appropriate language arts strategy employed in each situation, to guarantee that student language needs are actually addressed by the language arts program in the school. NCAI endorses the continued use of current practice -- having the proposal developed by school district and parental authority, and requiring that the parents sign-off on the proposal as a requirement for submission to OBEMLA. Parental involvement in the selection of the language arts program is critical; for Indian students, this is the closest the law gets to Tribal oversight over the Title VII program and NCAI does not want to see that oversight altered. Hence NCAI does NOT want to see school districts given the authority to design programs of bilingual instruction under their own authority; and this is why NCAI opposes this so-called 'flexibility' move which the Administration has endorsed.

3. NCAI sees no point in adding a one-year limitation to student participation in Title VII programs. The Act as currently implemented requires the use of entrance and exist criteria. And if OBEMLA monitered projects more carefully, to ensure that projects actually applied entrance and exit criteria to the student populations these projects are serving, there might not be so many reported instances of "fraud" and "abuse" of Title VII funds by school districts. Tightening that aspect of project activity, combined with closer involvement of parental and Tribal authorities in the whole monitering process, will deal with the issue the "one year restruction" tries to address.
4. NCAI is most concerned about the data base which has generated so many of these proposed alterations in Title VII. The so-called "De Kanter" study wantonly neglected to look at the Indian component of Title VII activity; had the researchers done so, they would have seen abundant evidence that Title VII contributes, and can continue to contribute, to the schooling of L.E.P. students. Several witnesses cited the AIR study and its attacks on Title VII effectiveness. NO WITNESS chose to mention the component of the AIR study which dealt directly with Indian projects; Marie Batiste and her staff prepared a report looking at non-European languages served by Title VII. They find nothing but praise for the

work which Title VII is doing in the Indian, Asian, and Pacific Island contexts. NCAI is not going to argue that there are no problems in the implementation of bilingual education under Title VII. But NCAI IS going to demand that, if Congress undertakes any revision of the program, Congress give full attention to the whole of the work being done by the program and not to only a single part of it. NCAI fought to obtain the right to give testimony before the Subcommittee during the Hearings. Title VII provides educational services to Tribes. Therefore, Tribes have a right to have their concerns voiced for the record when changes in services are to bediscussed. NCAI will continue to fight to preserve the services which Title VII is currently providing to Tribes. And we appreciate the opportunity extended to us by the Subcommittee to place these concerns in the record at this time.

Senator STAFFORD. Thank you very much, Mr. Andrade.

We do have some questions. We would again ask the people who are questioned to be as brief as they can, consistent with an adequate answer. I keep reminding myself what Calvin Coolidge used to tell both the General Assembly of the Commonwealth of Massachusetts and later on, the U.S. Congress. "Be brief, above all things, be brief."

Mr. Torres, in *Lau* v. *Nichols,* the Supreme Court explicitly avoided mandating one method of satisfying a child's educational rights under title VII of the Civil Rights Act. My question is, why should the Federal Government only fund one instructional approach under title VII?

Mr. TORRES. I do not think that our organization has taken a position that it should fund only one approach. It is concerned that there is a misconception that we are advocating a separatist movement by advocating that bilingual education be prescribed to children with limited English speaking abilities. We simply want that to be the law, that flexibility be there to provide that, and that there be no attempts to try to do away with that concern.

Trying to be very brief—and I appreciate that the lights are not on for the responses—we heard on Friday and we heard today the concern that this is a very dangerous move to the country. Under no circumstances has our organization or, for that matter, I think, any other organization at this table, ever advocated a maintenance program. It has always been the need to be able to prepare the child to be fully integrated in American society, and bilingual education is the best instructional tool proven thus far to accomplish that aim.

Senator STAFFORD. Thank you. Let the Chair say that in any case where you consider you have insufficient time to present an answer here, the Committee will be glad to have you expand the answer in writing, if you care to do so—within, we hope, a reasonable length of time.

The next question, Dr. Tucker, is directed to you. You have expressed unequivocal support for the bilingual education as a viable educational approach for language minority students. Yet in your comment on the then proposed Lau regulations, you indicated:

> The Center does not, however, believe it is appropriate or useful to prescribe only one educational option for all youngsters.

You later stated, quoting again:

> The important point is that the local school system, working together with teachers and parents, who must be given an active voice in educational decisions, to be able, in our view, to develop educational programs to meet the needs of a rapidly changing student body.

Your remarks create the impression that you are not wedded to only one method for educating language minorities. Is that true? Also, would you endorse the concept of a "Language Minorities Educational Opportunity Act," which would fund alternative approaches to minority language student education?

Dr. TUCKER. That is a several-faceted question. Let me try and sort out several of the approaches. The statement in this morning's testimony, that we do affirm unequivocal support for bilingual education as a viable educational approach for language minority youngsters, does stand and is accurate. We, however, as noted in the comments at the time of the proposed Lau regulations, wanted to make sure that the implementation of educational programs or innovational programs take into account the realities of a local school district. We were concerned, for example, that in situations where there are extremely small numbers of youngsters from diverse mother tongue groups in the same classroom, it may not be feasible, nor practical, to implement a program for two speakers of language X, three speakers of language Y, and one speaker of language Z. Likewise, we were concerned about the situation of the immigration of large numbers of refugees from various parts of Southeast Asia, for example, the Hmong refugees from Southeast Asia, who come from a marginally literate, if not a preliterate society, who are only beginning now to have available to them a standard orthography, materials, and so on. We took cognizance of a variety of circumstances in which it was simply not possible or feasible to offer bilingual education as an alternative of choice. When conditions permit, when there are numbers of youngsters available who share a mother tongue, when there are materials available, we certainly do recommend bilingual education as an educational alternative of choice.

With respect to your latter question, dealing with a language minority education act, I would, of course, have to know more about that, and it is certainly something which we would study very carefully and would be prepared to respond in writing to.

Senator STAFFORD. Thank you, Dr. Tucker.

Dr. Llanes, you indicate that doing a summary of bilingual education effectiveness at this time "would be like sending a case to the jury before one side has had a chance to present its evidence." Therefore, don't you think that Congress, in funding only transitional bilingual education under title VII, was moving prematurely and without proper evidence when the act was passed.

Dr. LLANES. When the act passed, there was a provision called part C of the act, to fund research, and no research was funded by Congress—until very recently. These studies take time.

The investment made at this time is so large, the information forthcoming so great, that it would take several months after they are published before we can have a synthesis of what is in there.

The Bilingual Education Act was experimental. You wanted to experiment with a form of transitional bilingual education and you wanted to evaluate its outcome. You have experimented with a form of transitional bilingual education, but you have not evaluated its outcome.

On May 24 and 25, we will hold a colloquium at Cal State University, and we will take a look at about 12 of these 48 studies that are now ready, and then we will publish a preliminary set of findings. But the final findings, the ones that answer every question that is legislatively interesting, will not come until 1984. I am sorry, but that is the way in which we have fashioned the act, and the bureaucracy has worked it through.

This evidence which Dr. Tucker speaks to is very reliable, and it does point to the fact that bilingualism and bilingual education, when they go hand in hand provide enhanced cognitive skills. Yet they are all held without any sort of official sanction or approval, these works of individuals and works of States.

So, yes, we must wait until the money you have paid for these studies begins to pay off.

Senator **Stafford**. Thank you very much, Doctor.

Let me address a question now to all of you. I would ask this. Many of you have made the claim that certain studies of bilingual education improperly use evaluations of programs in foreign countries. In particular, some of you have said that the Lambert study in Montreal should not be applied to the U.S. experience. Yet at the same time, some of you have cited other foreign studies to support the emphasis on only bilingual education in this country. Aren't you, I wonder, trying to have it both ways? Why should some foreign studies apply and not others?

Dr. **Llanes**. If I may, the study in Canada is presented as evidence of immersion, in the DeKanter/Baker Report. Yet immersion is described as a system where no home language is used. And we have just heard from one of the principal investigators of that study that two languages were used. So we object to the classification of the study, not to its results.

Senator **Stafford**. Thank you.

Dr. **Cummins**. I would like to take the opportunity to address that question. I do not think any of this meant to imply that the St. Lambert study or any of the studies abroad were irrelevant to the bilingual education data in the States. Any evaluation of a bilingual program will provide information which is relevant to other situations. But you have got to be careful about just what is generalized. And I think the principles underlying the success of the St. Lambert Program and other bilingual programs abroad are identical to the principles underlying the success of bilingual programs for language minority students in Canada, insofar as programs which promote what is called an additive form of bilingualism, one where two languages are acquired and maintained and developed, develops high levels of academic skills for both language minority students and for majority language students. There is a lot of evidence that this is a cognitively and academically enriching form of bilingualism. That is one thing which I think we can generalize very clearly.

Another aspect of the St. Lambert program which can be generalized is that the kids in Canadian or American immersion programs who come from majority language backgrounds tend to have very high levels of academic readiness when they go into the program; their first language is not threatened; they have had a lot of exposure to literacy in the home, and because they have this good base in their first language, they are able to survive very well an immersion experience.

In the American situation, that background very often is not available to language minority students, and because they do not have a good basis in their first language on entry into the program, or they do not have a good basis in literacy-related skills on entry to the program, they do not have the capacity to assimilate academic or literacy-related skills in English.

So I would contend that the principles underlying the success of the St. Lambert and other programs are identical to the principles underlying the success of programs for language minority programs in the States.

Dr. **TUCKER**. I would like to note also that what does generalize directly from the Canadian experience and in particularly from the St. Lambert study, but also from others with which Dr. Cummins has been associated, is the method of inquiry. The method of inquiry does generalize and is relevant to our questions here in the United States, and above all else, one of the criterial attributes of the method of inquiry was that it was longitudinal and it was critical. If one looks in the United States, one finds evidence from the Navajo community, as one of the communities that was alluded to this morning, where in Rock Point, the results of a careful longitudinal and empirical evaluation demonstrate pretty convincingly for me that Navajo-speaking youngsters who had an opportunity to participate in bilingual education programs not only developed Navajo fluency and facility and ability to read and write Navajo, which was important to their parents, but in addition, as they moved through and completed their elementary schooling, they outperformed on measures of English achievement, their Navajo counterparts who had been immersed or submerged in English throughout.

The AIR study was not a longitudinal evaluation of the efficacy of bilingual education.

Senator **STAFFORD**. Thank you, Dr. Tucker.

Mr. Andrade, did you want to answer here? I was about to ask you a question, in any event.

Mr. **ANDRADE**. Yes, Mr. Chairman. Unfortunately, there are not many studies done on American Indian arts or American Indian language. The Navajo study, the Rock Point study, is critical. I guess we would have to point back at something called the Merriman study, done in 1928, approximately, that said that the total effects of the education system upon American Indian children are probably the most disastrous thing in history.

I would also point, in mentioning the Navajos, just this year, the Senate commended the Navajo speakers for being of tremendous assistance during World War II for what they called the Navajo "code talkers." Yet, we turn around now, and as we mentioned in the testimony, there is some kind of attempt to totally throw that out. And I am not so sure, if they were good during World War II, what happened to us in the last 40 years, why, that language being protected and enhanced and continued on through language arts instruction is wrong. The fact that they knew both English, they could translate into Navajo, and they were proficient in both languages during the war was very critical to the war effort of the United States.

I do not want to see us go back to war to protect language arts, but the fact remains that there have not been sufficient studies done on Indian language. We would like to see some more done. We think that they would only show the effects as they did in Navajo, in Rock Point.

Senator STAFFORD. Thank you, sir. I am sure you are alluding in part to the fact that Navajo was used to communicate orders over the air on open mikes in Guadalcanal, the Solomon Islands, and some of the other fights out in the Southwest Pacific. I would venture to say that quite a few American boys are alive today who would not have been, had that ability not existed.

Could you, Mr. Andrade, describe a successful Indian bilingual education program for the record, or do it in writing, if you prefer to do it that way?

Mr. ANDRADE. Mr. Chairman, let me ask Dr. Leap, who has been running one, or working with one.

Dr. LEAP. I think we would like to do that for the record, Senator Stafford. I would like to point out that since we are talking 57 different languages, it would be difficult to find one program that in any way would be typical. I think you will find whichever program you look at, the critical characteristic is tribal involvement, and that would be the theme that any decription we present would underscore.

Senator STAFFORD. Why don't you, if you would care to, provide us with several descriptions of various programs that have been successful for our record?

[The information referred to follows:]

Characteristics of a successful Indian bilingual program

Several recently published essays (including Dr. Leap's "American Indian Language Maintenance", Annual Review of Anthropology, vol 10, pp. , 1982) have provided characterizations of Indian bilingual education projects. We would refer the Subcommittee to the arguments in that essay and to the recently released report of the National Center for Bilingual Research, American Indian Language Education (Southwest Educational Research Laboratory, Los Alamitos, CA) for background commentary on this question.

Specific characteristics of successful Indian bilingual projects would include the following:

1. Tribal endorsement and Tribal support. Indian bilingual programs cannot operate outside of the Tribal milieu. Often language issues are sensitive questions, treated as part of spiritual as well as cultural heritage. Decisions about language cannot be made unless Tribal authorities, or their designates, help direct the outcomes of the discussion. Otherwise, the school intrudes into Tribal sovereignty.

2. Diversity in the language arts focus. The overall goal of all Indian bilingual programs requires the programs develop the full range of language skills which will be expected of Indian students in their daily lives. This means ancestral language skills development as well as English language skills development. Now clearly, the school does not have sole responsibility for this effort; language learning and language instruction (informal and formal) happens in the home, the community, the neighborhood, and other Tribal contexts, as well as in more English-oriented situations outside of the Tribal domain. Indian bilingual programs are co-participants, with other institutions, in the language arts education of Indian students.

This is the reason why different programs demonstrate different kinds of commitments to language arts instruction. The amount of responsibility the school must assume, and the amount of responsibility the school is permitted to assume, will vary extensively one situation to another. Some Tribes are interested in seeing Indian language literacy developed, as a goal in its own right and as a foundation for developing literacy in English. Some Tribes want to see training in reading and writing focused exclusively on English skills development, since the absence of a traditional literary base makes it seem unlikely that a modern literacy base will emerge within contemporary Tribal culture. These are not conflicting positions; these are different positions, each motivated by concerns, needs, and priorities specific to local, Tribal conditions. Successful Indian bilingual programs have to give rise to a variety of language arts foci; no single language arts strategy can be expected to work with equal effectiveness in all Tribal domains.

3. Lengthy start-up requirements. There are few effectively written grammars of Indian languages and even fewer sets of materials which can be used for oral (or written) language arts instruction for these languages. Recall -- over 200 Indian languages currently are spoken in the United States. The amount of information we DON'T have on these languages is staggering; the resistence of federal agencies -- NSF, NEH, NEA, NIE, and the like, to the idea of giving support to Indian language research is part of the reason for this situation.

There are few certified, trained, or otherwise "professionally qualified" teachers of Indian languages. There are qualified persons within the Tribal communities, if by qualified we mean persons the Tribe would trust with the responsibility of "formal language education"; but usually these people have not have training in lesson planning, classroom management and other of the more formal aspects of schooling processes.

Tests which measure student Indian language proficiency or diagnosis Indian student English language needs with any level of accuracy have just begun to be developed.

Evaluation models which are sensitive to the multicultural problems faced by Indian students in English-oriented school setting have likewise just begun to appear.

Bilingual projects are expected to have all of this in line -- curriculum, materials, staff, assessment devices, and evaluation strategies -- before project activities begin.

Indian bilingual projects have to spend a considerable amount of their time, in the initial months of their operation at least, addressing these issues. Providing instruction to targeted students cannot be sacrificed during this period. Still, the overall impression is that in the initial phases, Indian bilingual projects are confused, disoriented, and lacking in success. This is a false impression. The success of an Indian bilingual project is not something which can be measured within the early stages of project operation.

4. Complex funding base. No single source provides support for Indian student language needs exclusively. No single source is committed by legislative mandate or regulation to provide support in this area. Tribes and school districts serving Tribes are therefore forced to 'shop around', matching needs evidenced within the target popularion against categories for which funding from particular sources is available. This has meant, in many cases, that one project will be support by funds from several sources. Federal, state, local, Tribal, other public and private monies may all combine to support these efforts. Volunteered time, labor, energy, and talent will also play a critical role in project operations; the "hidden dollar value" of those contributions adds to the complexity of the financial base off of which all of these projects are required to operate.

There are several reason why several such sources may jointly support a single Indian bilingual effort. First, because the number of students in an Indian school or school district may be small, funds provided under per capita means (e.g. "Title I' funds, for example) may not generate enough revenue to absorb much of the costs of program operation; supplementary funding in those instances is essential to project operation. Second, the diversity of costs and expenses (see discussion, point 3, above) may force a project to seek support from several sources, since restrictions on the use of funds from one source may prevent the project from obtaining full support for its expenses from a single program. Federal restrictions preventing "hard research" dollars from being used for "applied" purposes, or "program support" funds from being directed toward basic research needs are two examples of the situation. Third, since Indian student language needs are not treated as a high prioirty or pressing national need by any federal agency (including BIA), Tribes often are negotiated out of a large percentage of the funds they need for basic operating costs, requiring projects to seek supplemental funding to keep basic program operations intact.

5. Emphasis on teacher training and staff development. The situation detailed in point 4, in sum, means that Indian bilingual programs always operate at the very edge of financial disaster. Special needs of these projects combined with the precariousness of their funding base creates a situation of extreme dependence on external revenue. Tribes being restricted in their taxation powers, Indian students living in most cases on tax-free federal 'trust land', and other fiscal priorities in local school districts further restrict the security of funding base and program operation monies each fiscal year.

Tribes and school districts are aware of this situation. The uncertainty it creates has led many school districts (and many Tribes) to resist efforts by parents or educators to set up innovative programs in local classrooms. Tribes and school districts simply are nor prepared, financially or managerially, to assume the responsibility for such programs once external funding ends.

This is why almost every Indian bilingual project currently in operation seems to place great emphasis on staff development, usually by integrating a teacher training/certification component into the basic operation of the program itself. Teacher training, leading to the BA degree and to certification according to state standards, produces a cadre of individuals who can function as teachers of bilingual and bicultural education within the regular classroom. If hired by the local school district, their presence in the school guarantees that a bilingual initiative will continue, even if funding for specifically bilingual teaching efforts is terminated. A properly trained bilingual teacher can integrate bilingual instruction into every component of the classroom instruction and the local curriculum, merely by applying his/her knoweldge of both language and both cultures to the lesson plan development process. Termination of federal funding may eliminate a special program, but termination of funding will not eliminate the spakers ability to think and talk in two languages, or the trained speaker's acquired skills in applying bilingual perspectives to all phases of the students' education.

6. Recognized dependence on externally based technical assistance. Few Tribes have sufficient technical expertise within their own ranks to be able to supply all of the skills development which an Indian bilingual project (and project staff) require for effective operation. Reliance on personnel from other sources -- universities, technical assistance and resource centers, profit and non-profit research and development agencies, and the like -- has therefore become an integral part of Indian bilingual project operation. Some Tribes are not content with this dependency and take active steps to transfer knowledge from outside to inside the Tribal domain as soon as the staff for the purpose can be located and trained. Other Tribes prefer to maintain contract ties with external agencies, expecting them to supply services when Tribal needs and priorities require and expect them. The point

is: the complexity of tasks facing an Indian bilingual project means that technical assistance issue cannot be avoided. And unless sources for technical assistance are available for project purposes, project success is highly unlikely regardless of the level of commitment the Tribe or the school brings to the endeavor.

7. Inter-Tribal information exchange. This is one reason why most Indian bilingual projects quickly develop strong ties with other bilingual programs in their area, especially programs operating in terms of Tribal language needs or Tribal cultural perspectives. While a national Indian bilingual education organization has yet to re-appear (there was one, the Native American Bilingual Education Conference, operating from 1973 - 1977), regional and national meetings like that of the National Association for Bilingual Education (NABE) as well as the continuing patronage of national Indian organizations like NCAI, the National Indian Education Association, and the National Advisory Council on Indian Education (NACIE) all help provide channels through which exchange of information between projects can be effected. Staff visits to other sites, sharing of newsletters, exchange of curriculum materials, recommendations of effective workshop leaders and on-site specialists -- these are only a few of the ways in which Indian bilingual projects work jointly with other projects to secure the strength of all projects, overall.

These are only a few of the characteristics of effective Indian bilingual programs. But the comments are sufficient to suggest several important truths about Indian bilingual education and Title VII's involvement in Indian bilingual education. First, to return to a familiar theme: diversity: no projects are the same or can be expected to be so. Each project has its own needs and works out its own solution to its needs. Second, tribal control: because the languages at issue here are Indian languages, projects cannot operate without Tribal involvement. The strongest projects are those where Tribe and school have developed the strongest working relationship; the weaker projects show weaker and less developed relationships, accordingly. Third, English language goals. Obviously, Indian bilingual projects will contain an Indian language arts focus. But no project ever denies the importance of effective English fluency or the role that the school must play in securing English fluency for Indian students. Paradoxically, then, even the most Tribal of Indian language projects always contains a visible and viable English language arts component. To eliminate the English component would mean that the school was totally intruding on things Tribal communities have maintained under their own initiatives for years; few Tribes appear willing to see the school, or any external agency, take on that much responsibility for something that is as essential to the life of the Tribe itself.

Senator STAFFORD. One final question, which again, I will ask you all to respond to if you care to, and that is this. Title VII part C has initiated research in only native language bilingual education. What would be your views of expanding part C to fund research into other methods of instructing language minority students, such as ESL and immersion?

Dr. LLANES. If I may, the transitional Bilingual Education Act was indeed the subject of the study. The methods used to carry out instruction throughout the United States vary widely. There are studies on first and second language acquisition that are part of the part C agenda right now.

What there is not, is a direct comparison of program effects between a variety of methods that is longitudinal, as Dr. Tucker points out, and is also at the same time geographically complex, that is, it has samples from all parts of the United States. That has not been done. I think that would be an excellent idea. There are innumerable methodological problems.

But the most important thing is the fact that the studies that have been reviewed in places like DeKanter/Baker look at 1-year effects, and as Senator Huddleston said, the average of these programs was 1.3. It is clear that bilingual education is like a 4-minute egg, Senator. And if you do not leave the 4-minute egg for 4 minutes inside a pot, and break it open at the end of the first minute, it just does not yield the same results.

Senator STAFFORD. Is there further comment?

Dr. CUMMINS. I think everybody would have to agree with the desirability of well-controlled longitudinal studies which compare different alternatives. I think one of the things that most researchers are very cognizant of at this stage is the necessity to avoid facile definitions of programs, and that this is one of the main critiques that have been made of the Baker/DeKanter report, in that they lump under transitional bilingual education programs which vary enormously and the term becomes absolutely meaningless. I think the studies that would be funded would have to include a careful description of what is actually happening in the classroom so that meaningful conclusions can be drawn. But I think a comparison of different program results for different kinds of students is essential for meaningful decisions to be made in this area.

Senator STAFFORD. Dr. Tucker?

Dr. TUCKER. We would favor the implementation of the broadest possible research agenda, but would simply urge that no precipitous changes in legislation occur until the results of such research are known.

Senator STAFFORD. Any further comment?

Mr. TORRES. If I may, just for the record, I would just bring to the attention of the chairman that should there be any attempts in the budget or appropriation process to attach any of the substantive provisions of the administration's bill or Senator Huddleston's bill, that this subcommittee convene hearings once again to go over those proposed changes, because it would be a very inappropriate action to be taking insofar as proposing substantive changes through the budget or the appropriations process. So we would hope that the subcommittee would be cognizant of those potential efforts and convene another hearing to discuss more in depth any of the specific provisions that are being attempted to be attached to the budget or appropriations bill. We would appreciate that.

Senator **Stafford**. Gentlemen, we appreciate your help for the subcommittee. I can assure you that the other members who are not here this morning will be studying the testimony and that they join me in expressing gratitude to you for helping us with this rather thorny problem we are facing.

Thank you very much.

Dr. **Cruz**. Senator, on behalf of the National Advisory Council on Bilingual Education, we would like to submit this for the record, also.

Senator **Stafford**. Without objection, we will make it part of the record.

[The information referred to follows:]

NATIONAL ADVISORY COUNCIL ON BILINGUAL EDUCATION
U.S. DEPARTMENT OF EDUCATION
WASHINGTON, D.C. 20202

April 26, 1982

NATIONAL ADVISORY COUNCIL ON BILINGUAL EDUCATION

Testimony to be presented to The Senate Labor and Human Resources Subcommittee on Education, Arts, Humanities on Bilingual Education Improvement Act

We the members of the National Advisory Council on Bilingual Education, representing the vast linguistic resources and cultural diversity of the American Nation, which enrich the greatness of our society, are here today to strongly oppose the proposed Bilingual Education Improvement Act of 1982.

While the overall school-aged population in the United States is projected to rise 16% by year 2000, the population of language minority students will rise by 40% during the same period. In as much as the promotion of access and equality remains the principal federal responsibility, it is incompatible that the proposed Bilingual Education Act serves to deny educational access, at miniumum, to more than a million children who are presently enrolled in our schools.

The Bilingual Education Act as amended in 1978 provides the flexibility needed to successfully implement different models of bilingual education instruction. The proposed amendments intended to be more flexible, in fact deny the basic principles of bilingual education by permitting instruction utilizing only English as a Second Language (ESL) and English language immersion programs. It would also further curtail the educational services and lower educational standards as mandated by previous congressional action. Effective education can only take place when teacher and child share a common language.

While the above addresses the problems associated with the proposed amendments to the existing Title VII of the Elementary and Secondary Education Act, we would welcome the invitation of the subcommittee to provide amendments that would indeed enhance educational opportunity and increase flexibility, without dropping the native language requirements.

NATIONAL ADVISORY COUNCIL ON BILINGUAL EDUCATION
U.S. DEPARTMENT OF EDUCATION
WASHINGTON, D.C. 20202

Whereas, The National Advisory Council on Bilingual Education (NACBE) has reviewed the Baker/de Kanter Report entitled, "Effectiveness of Bilingual Education: A Review of the Literature," and

Whereas, The National Advisory Council on Bilingual Education has also studied the respective analyses of the American Psychological Association, the Office of Civil Rights (Legal Standards and Policy Branch), Dr. Steven Arvizu et. al., Sacramento State University, and Dr. Stan Seidner, The National College of Education, and

Whereas, these independent and objective studies have noted that the Baker/de Kanter Report is of questionable scientific quality and thus misrepresents and/or ignores the documented successes of many Bilingual Education programs which have increased the English competency of LEP students, Therefore,

Be it Resolved that the National Advisory Council on Bilingual Education: reject most of the conclusions of the Baker/de Kanter Report, question the advisability of using an unofficial-draft document" as part of the decision making process in affairs concerned with language minority education, and hereby recommend that this report not be used to advise the public on the effectiveness of Bilingual Education,

Be it further resolved, that this resolution and attached documents be distributed to members of Congress and other key formulators of national education policy.

Signed,

April 26/82

Arnhilda Gonzalez-Quevedo, Florida — Date
NACBE - Chairperson

NATIONAL ADVISORY COUNCIL ON BILINGUAL EDUCATION
U.S. DEPARTMENT OF EDUCATION
WASHINGTON, D.C. 20202

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Dr. Francis T. Villemain

Ms. Carolyn Hong Chan

Senator STAFFORD. The Chair would now invite the second and final panel to come to the witness table. This panel will consist of Mrs. Esther Eisenhower, ESL program coordinator, Fairfax County public schools, Fairfax, Va.; Mrs. Delia Pompa, executive director, bilingual education, Houston Independent School District, Houston, Tex.; Ms. Augustina Reyes, member, Houston School Board, Houston, Tex.; Ms. Phyllis Blaunstein, executive director, National Association of State Boards of Education, Washington, D.C.; and Ms. Maria Lindia, director, bilingual education, Bristol, R.I.

Once again, ladies, my apologies for asking you to stay within the 5 minutes. You have heard of the "Pell grants"; we are using the "Pell stop-and-go system" this morning.

Before we begin, ladies, I would like to note that Senator Pell is particularly regretful that longstanding commitments prohibit his appearance here, and I know he would want to be here to introduce Ms. Lindia, but circumstances prevented that.

I would suggest we go in the order in which you have been listed on the program, and I would ask you to terminate in the 5 minutes. If you do have a longer statement, it will fully appear in the record as if read.

With that, Mrs. Eisenhower, you are at bat.

STATEMENT OF ESTHER J. EISENHOWER, ESL PROGRAM COORDINATOR, FAIRFAX COUNTY PUBLIC SCHOOLS, FAIRFAX, VA.; MRS. DELIA POMPA, EXECUTIVE DIRECTOR, BILINGUAL EDUCATION, HOUSTON INDEPENDENT SCHOOL DISTRICT, HOUSTON, TEX.; MS. AUGUSTINA REYES, MEMBER, HOUSTON SCHOOL BOARD, HOUSTON, TEX.; MS. PHYLLIS BLAUNSTEIN, EXECUTIVE DIRECTOR, NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION, WASHINGTON, D.C.; AND MS. MARIA LINDIA, DIRECTOR, BILINGUAL EDUCATION, BRISTOL, R.I., ACCOMPANIED BY JAMES J. LYONS, LEGISLATIVE REPRESENTATIVE OF THE AMERICAN COALITION FOR BILINGUAL EDUCATION, A PANEL

Mrs. **Eisenhower**. Good morning.

In 1976, following the *Lau* v. *Nichols* Supreme Court decision, Fairfax County was urged by OCR to adopt the preferred educational approach, bilingualism. However, from the onset, the school system argued that local school districts needed flexibility in deciding the best way to meet the educational needs of the students with limited English proficiency.

We did not believe it was appropriate to prescribe only one educational option for all youngsters, but rather, that school systems needed to consider carefully the linguistic cognitive, affective, and social needs of their students before deciding which option best meets the needs of different groups of youngsters.

As a result of an extensive systemwide needs assessment, the school system developed English as a second language program. This program has five different models for organizing instruction in the schools. The availability of these models allows students to develop the ability to understand, speak, read, and write English, without neglect of subject matter achievement.

For 4 long years, OCR and the school system engaged in negotiations concerning the contents of an appropriate instructional program. In the fall of 1980, OCR received and analyzed program and evaluation documents and conducted two onsite visits. On the basis of this interaction, evaluation of the current program, and the achievement test scores of present and former students, OCR determined that we were in compliance with title VI without having to adopt a bilingual approach.

This settlement has been roundly praised by many and vociferously denounced by others. Many of the opinions on both sides of the issues have been thoughtful and well reasoned. Unfortunately, there are those who are reported using our case as support for a decreased attention to the needs of the language minority students. Others cite the Fairfax program as evidence that bilingual education does not work or that an ESL program is better than bilingual education.

This is ludicrous. We spent 4 long years trying to make a point that we did not believe that one instructional program is proper to meet the needs of all LEP children, especially in Fairfax County, where 50 different languages are represented. Therefore, we should be the last ones to say that we have come up with a model that should be implemented universally. What we are trying to say is we have seriously assessed our students' needs; we have come up with an instructional model that works. Other school systems should be allowed to teach LEP children in the methodologies that they deem best for their students' particular needs.

For whatever reason, we have been deluged since the settlement with requests from school boards and school administrators for onsite visits, for copies of our administrative manual and for technical assistance. As a result of all this interaction, we are convinced more than ever of the need for a more effective use of the resources that Fairfax County and other school systems with successful programs, be it bilingual education, ESL or, immersion, to find out what the school systems have to offer to improve the instruction of language minority students. There is a need for hard evidence of the success and educational benefits of alternative teaching models. We believe this evidence will prove that certain groups of LEP students benefit most from immersion in English language classes, while others respond better to transitional programs and still others to ESL programs.

Unfortunately, there is not enough empirical evidence for comparative research today—I think you heard over and over again from the distinguished panel ahead of me—to try to decide this matter objectively without the emotionalism that has dominated the issue up to today.

We urge the members of this committee and Congress to demand—not to recommend but demand—that the Department of Education undertake a systematic documentation of the development, contents, and implementation of identified successful alternative teaching models. I was heartened to hear Professors Cummins and Tucker agree with us in this area.

We would like to see the presentation of these documented materials in a usable, practical written format. I have spent months looking at materials that I humbly believe the best use for is to put them in an incinerator and to provide heat for these hallowed Halls. It is about time that we get something that we can use.

I recommend a longitudinal study. The specific contents of this documentation should concentrate on five universal components. First, the philosophical commitment. The necessary tangible commitments of money, effective leadership, top-to-bottom support.

Second, a systemwide and individual needs assessment.

Third, entry/exit criteria progress while in program monitoring students after they leave the program staffing; qualifications of the staff; pupil-teacher ratios; assignments of the staff.

Fourth, varieties of instructional programs—rational and specific components of these programs, scheduling of a teacher's day, student's day and the use of systemwide supportive resources.

And last, but not least, the relationship within the school system; the structural and functional relationship between the program and other parts of the school system. I have seen too many programs which have become a system unto themselves. It is about time we realize that we cannot teach the children to drive on automatic while the rest of the world is driving stick shift.

Thank you.

Senator STAFFORD. Thank you very much.

[The prepared statement of Mrs. Eisenhower follows:]

Comments delivered by
Esther J. Eisenhower

Fairfax County Public Schools (FCPS) is a large suburban school system with approximately 127,000 students. It is a diverse county. Much of the county can be characterized as suburban. Part of the eastern end has the characteristics of an urban area: the population is economically and ethnically diverse, student enrollment is declining, and business and industrial centers have developed. Part of the western end has characteristics of rural and small-town America. This is the developing area, with new houses being built and student enrollment growing.

Since 1976, increasing numbers of language minority students have enrolled in the school system. At present, approximately 4,000 have limited proficiency in English. Their ability to use English varies. Some are almost bilingual, while others have little or no facility with English. Among these students, over fifty different first languages are represented. Spanish, Vietnamese, and Korean are the most frequently spoken languages. Most schools have limited concentrations of any language group. Although a small number of students are children of diplomats or professionals who are in Fairfax County temporarily, most students in the English as a second language program (ESL) are children of immigrants and refugees. Traditionally, these students have attended schools in their native country and are literate in their native languages. However, beginning in 1979, an increasing number of the students who have enrolled have little formal schooling and are nonliterate or semiliterate in their native languages.

In 1976, following the Lau vs. Nichols Supreme Court decision, FCPS was urged by the Office of Civil Rights to adopt the preferred bilingual education approach. However, FCPS argued that the Lau decision allowed greater local flexibility in deciding the best way to meet the educational needs of students with limited English proficiency (LEP). FCPS did not believe it was appropriate to prescribe only one educational option for all youngsters; but rather than local school systems needed to consider carefully the linguistic, cognitive, affective, and social needs of the LEP population before deciding upon the option/s (such as various types of bilingual education, English as a second language) which best meet the needs of different groups of youngsters.

As a result of an extensive systemwide needs assessment, FCPS has developed an English as a second language program. This program has five different models for organizing instruction in the schools. The availability of these models allows students to develop the ability to understand, speak, read, and write English so they can participate actively and effectively in the regular English instructional program. Furthermore, they assure a steady and rapid acquisition of English without neglect of subject matter achievement.

For four years, OCR and FCPS engaged in negotiations concerning the contents of an appropriate instructional program that meets the requirements of Title VI, the Civil Rights Act, and the Lau decision. In the fall of 1980, OCR received and analyzed program and evaluation documents from FCPS, and conducted two on-site visits. On the basis of this interaction, evaluation of the current program in FCPS, and the achievement test scores of present and former students, OCR determined that FCPS was in compliance with Title VI without adopting a bilingual approach.

This settlement has been roundly praised by many and vociferously denounced by others. Many of the opinions on both sides of the issues have been thoughtful and well-reasoned. However, there are those who are reported using the FCPS case as support for a decrease in attention given to the needs of the LEP students. Others cite the FCPS program as evidence that bilingual education does not work or that an ESL program is better than bilingual education.

For whatever reason, FCPS has been deluged since the settlement with requests from school boards and school administrators for on-site visits, for copies of its administrative manual and available materials, and for technical assistance. As a result of this extensive interaction with a large number of school systems, we are more than ever convinced of the need for a more effective use of the resources that Fairfax and other school systems with successful programs have to offer to improve instruction for LEP students. There is a need for hard evidence of the success and educational benefits of alternative teaching models. We believe this evidence will prove that certain groups of language-minority students benefit most from immersion in English language classrooms, while others respond better to transitional programs, and still others to continued instruction in both languages. Unfortunately, there is not enough empirical evidence from comparative research today to decide the matter objectively, without the emotionalism that has dominated the debate on this issue.

We urge the members of this subcommittee to recommend that the Department of Education undertake a systematic documentation of the development, contents, and implementation of identified successful alternative teaching models; presentation of the documented materials in a useable, practical written format; and finally the provision for technical assistance (when requested) in adapting these experiences to meet the individual needs of each local school system.

The specific contents of such a documentation should concentrate on five universal components:

1. Philosophical Commitment -- This commitment assures the academic success of the target population and the necessary tangible commitments of money, effective leadership, top-to-bottom support, and time for curriculum preparation and staff development.
2. Systemwide and Individual Needs Assessment -- Systemwide needs assessments include methods for identifying the target population, for identifying the availability of needed instructional resources, and for analyzing the implementation problems of a variety of instructional strategies. Individual needs assessments include the methods for identifying potential students for the program, for diagnosing individual needs, for placing students in appropriate programs, for assessing progress while in the program, for determining student readiness to leave the program, and for monitoring students after they leave the program.
3. Varieties of Instructional Programs -- Included in this section are the rationale and specific components of these programs, details concerning the scheduling of a teacher's and a student's day, grouping students, use of aides and volunteers, use of systemwide supportive resources, and finally the process of selecting or developing curricular materials.

4. Staffing -- This component summarizes the history and current status of the following: qualifications for the staff, pupil-teacher ratios, assignment of staff, the involvement of staff in the development of the program, and the continuous training of the staff in the implementation of the program. The variety of supportive services, such as interpreters, translators, social service providers, psychologists, volunteers, liaisons with parents, and active community groups, is also described.
5. Relationships Within the School System -- Outlined in this section are the structural and functional relationships between the program and other parts of the school system, such as the regular instructional program, individual schools, and agencies for student services, research, and evaluation.

I would like to submit for the record a copy of Report on English as a Second Language Program, FCPS, 1980-81. It will be available on or before May 1, 1982. I will be responsible for delivering a copy of this document to the subcommittee.

Senator STAFFORD. Mrs. Pompa, would you care to go next?

Ms. REYES. We are going to share the testimony. I will give an overview, and Mrs. Pompa will give the testimony.

We are from the Houston Independent School District. HISD is the sixth largest district in the country. We have 193,000 students. Thirty percent of our students are Hispanic; 28,000 are limited English proficient students.

Houston has implemented bilingual programs since 1969, and we can gladly say that many of our students are attending universities such as Rice, Harvard, University of Texas, and other universities throughout Texas and the United States. We would like to emphasize that we support the dual language instruction with the realization that alternatives be allowed when resources for dual language instruction are not available.

The second item we would like to emphasize is that teacher training be a major emphasis, so that sufficient teachers can be trained, so that districts like Houston will be able to provide services to fulfill the needs of limited English proficient students; and finally, a personal care of mine, and that is that we all remember that what we are all about is providing services for children in this country. We know that children often are not heard because they do not vote, and they are not properly advocated, I think. But I think that if we would all keep that within the perspective that what we are trying to do is provide a service for children in this country.

Thank you.

Senator STAFFORD. Thank you.

Mrs. Pompa?

Mrs. POMPA. As a district representing over 28,000 limited English proficient students, and as a district that has taken up a large share of the costs of the bilingual program, I feel that we are very qualified to speak as an important voice in the field of bilingual education.

In Houston, as Ms. Reyes said, we have an emphasis on dual language programs, or what we have called transitional bilingual education programs. We have provided English as a second language program to students where we do not have the resources. We have over 60 language groups in Houston, so many times, we do not have the resources to provide a dual language program. On a very limited basis, we are piloting an immersion program this year.

I would like to focus on the successes of these programs during my testimony—successes because lately, it has become fashionable to deride bilingual education.

In Houston in programs where we have utilized dual language instruction, where children have been taught to read in their native language, and have specifically been taught English as a second language skill, we have found through our district research that these children are on grade level or better in English and in their native language by the end of the third grade. This is not a small feat for a large urban school district.

In our ESL programs where we are able to provide support services such as some native language instruction, materials in the native language, a support system of staff who speak the native language, and inclusion of the culture in that program, we have found that the children quickly catch up to other children of their grade level in English language skills.

Why have these programs worked? This is what we are concerned with and what we are focusing on. They are working because the programs are consistent, because the community, the staff, the administration, and the children know what the goals of the program are, they know what we are about, and there is no waivering or indecision as to what the goals of the teachers, of the administration, and the community are. They have worked because we have devoted time to these programs—time on task. They are not programs that have functioned for 1 year, and then we have changed our minds and thrown them out the window. We have given children time to succeed in English.

We have heard the testimony earlier of notable linguists who have said that time is required to acquire any language, particularly a second language, that these are pedagogical principles that we must not forget.

They have also worked, our programs, I believe, because they have a strong basis in research, research evidence. We do not undertake our programs lightly or on whims. We undertake programs which have been shown to work and where we have evidence that the programs are best for children.

This leads me to the concerns we have with some of the proposed amendments in the act. First of all, changing the definition of limited English proficient student to include only those children whose usual language is not English would severely curtail services to many children who are not yet at the academic level of literacy in reading and writing skills. We have 5,000 such children in our district who, on one definition, are limited English proficient; given the new definition, they would not be eligible for some of the services that they so desperately need.

Another concern we have is with the modification of the Bilingual Education Act to allow for approaches not using the native language. Although we in our district do utilize such approaches, we utilize them because we do not have the resources to serve all the students.

It is my concern and the concern of Ms. Reyes that if such wording is placed in the act, the issue will become one of local control versus educational equity, and we all know that that is not something that we want to happen. I think in Houston, we are very justified in providing the good programs and justified in speaking out as representatives of interests who do believe in good education for children. My concern is that in some local school districts, this is not the case. Economic efficiency and other considerations will take over, and children will not receive the best education possible. There should be some language in the legislation or in the guidelines which insure that children receive educationally sound programs which do meet their needs.

And our third concern as stated before is that the cutbacks will severely affect teacher training programs. In Houston and in Texas, we are experiencing a severe teacher shortage. This impacts greatly on bilingual programs, because we have a great shortage of bilingual teachers. A cutback now would leave us even further behind than we are. We need an increase.

Thank you for your time.

Senator STAFFORD. Thank you very much, Mrs. Pompa.

[The joint prepared statement of Mrs. Pompa and Ms. Reyes follows:]

HEARINGS ON BILINGUAL EDUCATION ACT

Testimony before the
United States Senate Labor and Human Resources Committee
Subcommittee on Education, Arts, and Humanities

April 26, 1982

delivered by:
Delia Pompa
Augustina Reyes

Houston Independent School District
Houston, Texas

The Houston Independent School District (HISD), a large urban school district of approximately 200,000 students, has identified 28,000 children of limited English proficiency (LEP). The greatest number of these students, 21,000, are Hispanic; there are 3,000 Indochinese children; and 4,000 children representing 60 other language groups. (It is projected that by 1985 over 50 percent of the school district enrollment will be Hispanic.)

HISD offers two major programs to serve LEP students. Students in kindergarten through grade 5 whose native language is Spanish receive dual language instruction. In this program of transitional bilingual education, the students are taught new concepts in their native language and known concepts are taught in English. Thus, students learn to read in their native language. Additionally, instruction is given in English as a second language (ESL).

LEP students in kindergarten through grade 5 whose native language is not Spanish receive English as a second language instruction for up to three hours a day depending on their English proficiency. Bilingual instruction is not offered for these children because of the lack of teachers who speak the more than 60 languages involved.

All LEP students in grades 6 through 12 receive ESL instruction up to three hours a day depending on their level of English proficiency. They are scheduled into classes which require minimal language usage for the remainder of the day. Eventually, when their language proficiency permits, they are mainstreamed into the all-English curriculum.

Although HISD recognizes the benefit of dual language instruction for many of its LEP students and supports the concept of transitional bilingual education, ESL programs have had to be substituted for some students at the elementary level for two reasons. Because of the large numbers of LEP students in the district and the various languages spoken by this group, it is impossible to develop a program of dual language instruction for each LEP student. Most language groups are represented by fewer than 20 students. The first reason directly leads to the second reason--the teacher shortage.

In Texas, and in Houston specifically, we are faced with an enormous shortage of teachers. The very specialized field of bilingual education is directly impacted by the general shortage of teachers. There is a dramatic need to recruit and train potentially capable bilingual teachers. Presently, institutions of higher education are not keeping up with the school district's demands for bilingual teachers. One must also recall that in the Houston area, the number of potential LEP students promises to increase yearly.

Despite such exigencies as teacher shortages and large numbers of students, bilingual education in Houston has worked and continues to show success daily. In classes where students are taught to read in their native language and at the same time receive English as a second language instruction, research showed students to be at grade level or better in English reading at the third grade. This is no small feat for a class of children in a large urban school district.

In schools where ESL instruction solely is used to instruct LEP children, several factors have been identified through district research efforts as necessary for a successful program. As in the case of dual language instruction, it is important for the teacher to be aware of and to utilize the culture of the student in teaching English as a second language. Inclusion of the student's culture helps to ease the child into learning in a second language. In many cases, some use of the native language is required. This is particularly true for young children or children with a limited school experience. Native language support can take the form of supplementary curriculum materials in the native language or the use of translaters/interpreters where available. Finally, success in English as a second language requires a multidisciplinary approach. Rote exercises, drill and practice, and abstract dialogues are devoid of meaning for children learning a second language. Language instruction has to be delivered in a meaningful context to lead the child to discover syntax and vocabulary in a way that clicks with other cognitive processes in his head. This type of instruction requires varied materials and equipment; it requires a creative and well-trained teacher.

Successful programs for LEP children, bilingual instruction or English as a second language, have three variables in common. First, they are consistently implemented over whatever time period is necessary for the child to make the transition into the all-English curriculum. The community, the administration, and the teachers know the goals, know the strategies, and apply them in a manner which indicates that they know what they are about. The various factors which affect the rate of learning a second language are considered and allowed for within the curriculum. Stemming from this overall consideration, is the second over-all factor--time. Programs which work are given time to work. The research of such notable linguists as Lily Wong-Fillmore and Jim Cummins has shown that time is needed for a child to acquire any language, particularly a second language. Three or four years is not an unreasonable length of time for a child to develop the necessary skills for literacy in a second language. Again, this factor leads to another, the third and final. Programs which work for LEP children are based on sound research.

The question is asked of us daily in bilingual education, by the press, by the community, and by other educators--Which works better: bilingual education or English as a second language? The answer is a timeworn truism for anybody in education. One can not compare apples and oranges. Bilingual education works for most of our LEP students, especially where the resources are available to implement a good program. Some dual language instruction is necessary, particularly when students are not literate in their native language. English as a second language works well for our older students who are literate in their native language given the support system which includes a cultural component, some supplementary materials in the native language, and meaningful functional language instruction.

As a practitioner involved in the day to day implementation of bilingual education, I urge the Subcommittee to consider the following comments:

o The modification of the Act to allow for various approaches, some not utilizing the native language, is fraught with potential problems. We must not allow services to LEP children to become an issue of educational equity versus local control. The Education Department must insure through legislation or through the regulatory process that school districts implement the programs which best meet the needs of LEP students. Strong guidelines should be issued and guidance be given to school districts to help them decide which method would work best in their community. For example, when an option other than dual language instruction is chosen by a school district, then the English as a second language program should include supportive services, such as speakers of the child's native language who serve as teacher aides or tutors.

- A change in the wording defining the target population of the Bilingual Education Act would severely curtail services to millions of LEP children who are in need of special services. Is the goal of the Bilingual Education Act economic efficiency or service to children?
- Support from the Federal Government for teacher training programs for teaching LEP children in institutions of higher education and local education agencies must be continued. The need is still with us and is increasing.

Senator STAFFORD. Ms. Blaunstein?

Ms. BLAUNSTEIN. Thank you, Mr. Chairman.

My name is Phyllis Blaunstein. I am executive director of the National Association of State Boards of Education, which represents education policymaking bodies in nearly all States, U.S. Trust Territories, and the District of Columbia. I am very pleased to have the opportunity to testify today on the future of title VII assistance for students from other language backgrounds who have little or no command of English.

We have submitted full testimony for the record. What I will present to you this morning will be a summary of that testimony.

I would like to note that I am speaking on behalf of those who represent the Nation's Governors, State legislatures, chief State school officers, school administrators, secondary school principals, elementary school principals, and the American Federation of Teachers.

How language minority students have been educated has been a subject of considerable controversy and misunderstanding. It is our hope that with renewal of the title VII legislation, we can go a long way toward putting these controversies and misunderstandings to rest so that we may concentrate on the important task at hand: developing the best ways to provide these students equal educational opportunity.

Central to the misunderstandings has been the idea, embodied in the existing title VII law, that there is only one way to teach these students English and subject matter, and that this way is transitional bilingual education. This is the same idea that was advanced by the U.S. Department of Education when it proposed regulations in the summer of 1980 to carry out the Supreme Court's 1974 decision in Lau versus Nichols.

There is no question that transitional bilingual education, in which students are taught basic subjects in their native language, while they are also learning enough English to transfer to regular classes, is one valuable approach, and bilingual education supporters deserve great credit for the strides they have made. The technique is now among those used in many school systems, thanks in large measure to past actions of this subcommittee. But the proposition that transitional bilingual education is the only approach to helping these children is fundamentally flawed.

This was the basic point stressed by representatives of State legislatures, chief State school officers, State and local boards, teachers, principals and curriculum authorities in the disputes over the proposed Lau regulations. In a letter to Shirley Hufstedler, then Secretary of Education, we stated what we would emphasize again today:

> The simple education fact is this: There is no one "best" way to teach all students, only different ways for different students under different circumstances. There is no single way to teach math or reading or writing or history or science or any other subject to all children, as an examination of different school systems and different schools of thought would quickly illustrate.
>
> There certainly is no one "best" way in which to correct the "language deficiency" of all students who have little or no proficiency in English, as required by Lau.

We are happy to see that this position has now received important support from an extensive study done by the Department of Education's Office of Planning, Budget, and Evaluation. That analysis states, unambiguously:

> Transitional bilingual education should not be the sole approach encouraged by Federal policy.

This conclusion was based on an examination of all available studies meeting minimum methodological standards which compared the effectiveness of transitional bilingual education with other approaches in promoting the learning of English and subject matter. Some bilingual advocates have attacked this study as flawed, as they have attacked other independent studies that preceded this one. In this regard, I would commend to you the words of a Federal judge in a 1975 language minority case, Otero versus Mesa County Valley School District No. 51. Judge Otero said in this case:

> Listening to these experts causes one to conclude that if psychiatrists' disagreements are to be compared to differences between educators, psychiatrists are almost of a single mind.

Psychiatrists and educators are kindred souls with social science researchers, which is precisely our point. There is no agreement on any one way to teach limited English proficient students. This is because, as commonsense and educational experience tell us, there is no one way, and we think it a serious mistake for the Federal Government to prescribe a single method of teaching these or any other students. It is not done with chapter I assistance for disadvantaged students. It is not done with aid to handicapped children. And it should not be done here.

From all this, we believe the following changes are needed in title VII.

First, the law should be amended to define a range of programs authorized for funding under the act, not just transitional bilingual education. These should include, but not be limited to, transitional bilingual education, English as a second language, and structured immersion.

Second, the law should be amended to authorize research comparing the different methods used, so as to discover which approaches are best for which children.

Third, the name of the statute should be changed. And for the record, while all groups represented agree on a name change, the AFT has no current policy on this yet.

If the law is opened to other instructional methods in addition to transitional bilingual education, we believe it would be a mistake to continue calling it "The Bilingual Education Act." English as a second language, for example, uses only one language—English. It cannot, as any bilingual education supporter will tell you, be defined as a "bilingual method."

In a national law designed to promote the proper use of English, we think it would be unwise to misuse the language in the title.

Just as importantly, much of the controversy and misunderstanding surrounding this measure, we believe stems from its name. Many people seem to be under the misapprehension that the legislation is intended to promote bilingualism or language equality in the Canadian or Belgian manner, when it is unmistakably designed to help students to adjust to and succeed in our English-speaking society.

Senator STAFFORD. Could you conclude now, please?

Ms. BLAUNSTEIN. Yes.

Senator STAFFORD. Thank you very much.

[The prepared statement of Ms. Blaunstein follows:]

Prepared Statement of Phyllis Blaunstein

My name is Phyllis Blaunstein. I am Executive Director of the National Association of State Boards of Education, which represents education policymaking bodies in nearly all States, U.S. Trust Territories and the District of Columbia. I am very pleased to have the opportunity to testify today on the future of Title VII assistance for students from other language backgrounds who have little or no command of English.

The education of these students is a matter of great import for the nation, especially as their numbers swell. The latest projections from the National Center for Educational Statistics suggest, for example, that limited-English-proficient students aged 5 to 14 will increase by 400,000 in this decade and by an additional 600,000 in the 1990s. There are several conflicting estimates of just how many language-minority children are in the nation today - ranging from 1 million to 3.6 million - and nobody can say precisely how many there will be tomorrow. But there is no doubt that their ranks are growing.

There is also no doubt that how language-minority students are educated has been a subject of considerable controversy and misunderstanding. It is our hope that with renewal of the Title VII legislation, we can go a long way toward putting these controversies and misunderstandings to rest so we may concentrate on the important task at hand: developing the best ways to provide these students equal educational opportunity.

I would therefore like to review, briefly, the source of these misunderstandings before recommending the changes we believe are needed in Title VII.

The Source of Misunderstandings

Central to the misunderstandings has been the idea, embodied in the existing Title VII law, that there is only one way to teach these students English and subject matter, and that this way is transitional bilingual education. This is the same idea that was advanced by the U.S. Department of Education when it proposed regulations in the summer of 1980 to carry out the Supreme Court's 1974 decision Lau v. Nichols.

There is no question that transitional bilingual instruction -- in which students are taught basic subjects in their native tongues while they are also learning enough English to transfer to regular classes -- is one valuable approach, and bilingual education supporters deserve great credit for the gains they have made. The technique is now among those used in many school systems, thanks in large measure to past actions of this subcommittee.

But the proposition that transitional bilingual education is the only approach to helping these children is fundamentally flawed.

This was the basic point stressed by representatives of state legislatures, chief state school officers, state and local school boards, teachers, principals and curriculum authorities in the dispute over the proposed Lau regulations. In a letter to Shirley M. Hufstedler, then Secretary of Education, we stated what we would emphasize again today:

> The simple educational fact is this: There is no one "best" way in which to teach all students, only different ways for different students under different circumstances. There is no single way to teach math or reading or writing or history or science or any other subject to all children, as an examination of different school systems and different schools of thought would quickly illustrate.
>
> There certainly is no one "best" way in which to correct the "language deficiency" of all students who have little or no proficiency in English, as required by Lau.

Fortunately, those regulations were withdrawn, with Education Secretary Terrel H. Bell expressing similar opposition to their narrow and prescriptive nature. Today, moreover, the Department of Education says that it is no longer enforcing the "Lau Remedies," or "guidelines," which the regulations were intended to replace -- and which have been used to pressure more than 500 school systems into heeding the federal government's demands.

Rather, according to an internal Department memo of last January, it "has returned to the non-prescriptive standards set out in the May 25, 1970 memorandum," which allows local school systems to choose from a variety of teaching methods.

We strongly agree that this is the proper policy, educationally as well as legally, and we are happy to see that it now has received further important support from an extensive study by the Department of Education's Office of Planning, Budget, and Evaluation. That analysis states, unambiguously: "Transitional bilingual education should not be the sole approach encouraged by Federal policy."

This conclusion was based on an examination of all available studies meeting minimum methodological standards which compared the effectiveness of transitional bilingual education (TBE) with other approaches in promoting the learning of English and subject matter. The findings from the 28 applicable studies are summarized in Table A. You will note that these findings show:

- In teaching a second language (i.e., English), only 10 of 30 findings reported any positive effects of TBE in comparison to submersion in the ordinary classroom.
- In teaching math, only 2 of 14 findings reported positive results of TBE in comparison to the ordinary classroom.
- English as a Second Language and transitional bilingual education programs were equally effective, although only a few such comparisons were reported.
- Studies of structured immersion, while very few in number, show promising results.

Some bilingual education advocates have attacked this study as flawed, as they have other independent studies that preceded this one. In this regard, I would commend to you the words of a federal judge in a 1975 language-minority case, Otero v. Mesa County Valley School District, No. 51, who said:

> Listening to these experts causes one to conclude that if psychiatrists' disagreements are to be compared to differences between educators, psychiatrists are almost of a single mind.

Psychiatrists and educators are kindred souls with social science researchers, which is precisely our point: There is no agreement on any one way to teach these students. This is because, as common sense and educational experience tell us, there is no one way, and we think it a serious mistake for the federal government to prescribe a single method of teaching these or other students. It is not done with Chapter I assistance for disadvantaged students. It is not done with aid to handicapped children. It should not be done here.

From all this, we believe there can be little question about the first changes needed in Title VII:

1. The law should be amended to define a range of programs authorized for funding under the act, not just transitional bilingual education. These should include, but not be limited to, transitional bilingual education, English as a Second Language, and structured immersion, which have been described by the Department as follows:

- Transitional Bilingual Education (TBE). Subject matter is at least partially taught in the home language of minority children until their English is good enough to successfully participate in regular classroom. ESL is often a part of TBE to help minimize the time spent in mastering English. It is also generally held that learning to read in the home language facilitates learning to read in English. Sometimes home language instruction is gradually phased out and regular English instruction is gradually phased in; other times, the change is more abrupt with the student being mainstreamed out of the home language program. The ultimate goal of TBE is to move the student into the all English program. TBE is differentiated from submersion and ESL by the use of the home language for instruction.

- English As a Second Language (ESL). In ESL, language-minority students are placed in regular instruction for most of the day. During some part of the day, however, the curriculum differs from that of the regular classroom in giving extra instruction in mastering English. Generally, this extra help is based on a special curriculum designed to teach English as a second rather than a first language. The home language may or may not be used in ESL instruction.

- Structured Immersion. In a structured immersion program almost all instruction is given in English. But immersion teachers are fully bilingual. Also, while students can ask questions of the teacher in the home language, an immersion teacher generally replies only in English. Further, the curriculum is structured so that no prior knowledge of English is assumed when subject areas are taught. No content is introduced except in a way that can be understood by the student. The student in effect learns English and content simultaneously. Structured immersion programs may include home language arts classes.

2. The law should be amended to authorize research comparing the different methods used, so as to discover which approaches are best for which children. This was the intent when the law was first enacted in 1968, and it is information we need to know today.

3. The name of the statute should be changed. If the law is opened to other instructional methods in addition to transitional bilingual education, we believe it would be a mistake to continue calling it "The Bilingual Education Act." English as a Second Language, for example, usually uses only one language, English; it cannot, as any bilingual education supporter will tell you, be defined as a "bilingual" method. In a national law designed to promote the proper use of English, we think it would be unwise to misuse the language in the title. Just as importantly, much of the controversy and misunderstanding surrounding this measure, we believe, stems from its name. Many people seem to be under the misapprehension that the legislation is intended to promote "bilingualism" or "language equality," in the Canadian or Belgian manner, when it is unmistakably designed to help students to adjust to and succeed in our English-speaking society. For these reasons we recommend that the name be changed to "The Language Minorities Educational Opportunities Act," to reflect what has been its underlying purpose from the outset.

Additional amendments, we believe, are also needed:

4. Given the nature of the population of the U.S., a respect for all cultural heritages is important. References to the students' "cultural heritage" should indicate that "sensitivity" should be shown in this area, and it should be made clear that "bicultural" education using materials from the students' ethnic backgrounds, while certainly desirable in many cases, is not a requirement for funding.

5. The section dealing with educational personnel should be amended to state that teachers in funded projects must be "proficient in English and, where necessary, in any other language to be used in providing instruction."

Finally, I would like to add a word of caution: No matter which method of instruction is used, there should be no unrealistic expectations that addressing the language needs of these children will necessarily solve all of the difficulties they may face in school. There has been evidence for some years suggesting that factors other than language -- particularly such socioeconomic factors as poverty, discrimination and parental level of education -- may be the larger barriers for many of these students.

In a 1975 report, for example, the U.S. Civil Rights Commission stated:

> When discrimination and negative socioeconomic conditions do not exist, children are more likely to show no linguistic or cognitive deficit when being instructed in the medium of a second language.

Similarly, the Department of Education's Office of Planning, Budget, and Evaluation reported in its latest studies:

> An analysis of data from 1,850 students found that factors other than language background may account for most of the lower achievement of many language-minority children.

The education system clearly must do everything possible to provide equal educational opportunity for these students. But it is only one of many institutions working to assure access and equity in our society.

I want to thank you again for the opportunity to testify today and to commend the chairman and members of this subcommittee for their sensitivity toward and concern for the language-minority students of the nation. A reauthorized Title VII measure, we believe, can help provide a new beginning both for these children and for the nation's policies in this critical area.

TABLE A

SUMMARY OF FINDINGS FROM APPLICABLE STUDIES ON THE EFFECTS OF LEARNING*

Transitional Bilingual Education Versus Submersion

TBE:	Second Language	Math
Positive	10	2
No Difference	15	9
Negative	5	3

Transitional Bilingual Education Versus English as a Second Language

TBE:	Second Language	Math
Positive	1	1
No Difference	3	NA
Negative	1	NA

Transitional Bilingual Education Versus Immersion*

TBE:	Second Language	Math
Positive	0	0
No Difference	1	1
Negative	1	0

Immersion Versus English as a Second Language*

IMMERSION:	Second Language	Math
Positive	1	NA

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* Math scores found in immersion projects in Canada are difficult to compare with scores in regular English curriculas. What can be concluded, however, is that students can achieve equally well (or better) in math classes taught in L2 as in math classes taught in L1.

Senator STAFFORD. Ms. Lindia?

Mr. LYONS. Mr. Chairman, my name is Jim Lyons, and I am the legislative representative of the American Coalition for Bilingual Education. It was my understanding with Senator Pell that I would introduce Ms. Lindia, if that meets with your agreement.

Senator STAFFORD. Can you all hear? I remember I was making a speech once—this will not come out of your time—and I inquired if those in the back of the room could hear me, and they said, "No," whereas a couple of people in the front of the room got up and offered to change places. [Laughter.]

Go ahead.

Mr. LYONS. Mr. Chairman, the American Coalition for Bilingual Education appreciates the opportunity to appear before you this morning. It is my pleasure to introduce Ms. Maria Lindia, the title VII director of the Bristol Public Schools.

Before doing so, however, I would like to state that the coalition is very concerned by these two legislative proposals before your committee. They deal with an extremely complex subject—title VII of the Education Act—and in so doing, they somehow do not give credit to the complexity and the importance of the subject that you are concerned with. We know, for example, that title VII serves children from over 90 different language backgrounds.

While the coalition opposes these bills, we believe that you have taken an important first step in developing a factual record that will serve the Senate well when it takes up legislation to reauthorize title VII prior to the end of fiscal year 1984. The coalition is prepared to assist you in building this record.

Again, it is my pleasure to introduce Dr. Lindia who runs a program that is extremely effective in providing language minority students with the benefits that they need to succeed in school. Indeed, it is a program that benefits the Nation as well.

Thank you.

[The prepared statements of Mr. Lyons and the American Coalition for Bilingual Education follow:]

PRESENTATION
OF
JAMES J. LYONS

Mr. Chairman, Members of the Subcommittee:

My name is Jim Lyons, I am the legislative representative of the American Coalition for Bilingual Education. The Coalition's objections to the bills before this Subcommittee are detailed in our written statement. Rather than belabor the defects of these legislative proposals, I would simply say that the Coalition views them as contrary to the national interest.

If enacted, these amendments would exacerbate a tragic national irony. The United States leads the world in freedom of expression. Yet, we fail to provide many of our students with the English language skills they need to learn effectively in our schools. This denial of educational opportunity is, in a larger sense, a form of national "self-denial". By denying language-minority students effective education, we deny the nation the benefits of their potential genius and productivity.

The irony of our national "self-denial" extends beyond the unfulfilled rights of language-minority citizens and even beyond unrealized domestic economic opportunities. Indeed, it has global implications.

Most of us are, as Representative Paul Simon wrote, the "Tongue-Tied American." Representative Simon's book provides abundant evidence of how our linguistic poverty diminishes our influence in the world community.

Because of our linguist deficiencies, we lose world trade. But even more fundamentally, we forgo the opportunity to communicate with and learn about people in other countries. In so doing, we may be denying our children the chance to live in a world of peace and understanding.

It is my pleasure to present Maria Lindia, the Title VII Director for the Bristol, Rhode Island Public Schools. Mrs. Lindia's program provides a good illustration of how effective bilingual education programs benefit language-minority students and ultimately the nation.

Mrs. Lindia.

STATEMENT OF THE
AMERICAN COALITION FOR BILINGUAL EDUCATION

The American Coalition for Bilingual Education appreciates the opportunity to testify on S. 2002 and the Administration's proposed legislation amending Title VII of the Elementary and Secondary Education Act.

Both of the legislative proposals which are the subject of these hearings would make fundamental changes in the Bilingual Education Act. Fundamental is an understatement since the Administration's proposed amendments would eliminate the requirement that Title VII programs provide instruction in both English and the child's native language. In other words, the Administration's bill would authorize the funding of non-bilingual education programs under the Bilingual Education Act.

Both S. 2002 and the Administration's proposals would alter the student populations served by Title VII. S. 2002 would redefine the concept of limited English language proficiency by excluding consideration of a student's reading and writing skills. The Administration's proposal to establish a funding priority for programs which serve limited-English-proficient students whose "usual language is not English" would effectively preclude the provision of Title VII services to countless students who need them for academic success.

The Huddleston bill would impose stringent limitations on the duration of a student's enrollment in Title VII programs.

Moreover, the Administration's proposal would substantially alter the existing requirements regarding qualifications of Title VII staff. Thus, both bills would have a profound impact on the manner in which Title VII programs are operated by local education agencies -- an impact that we view as detrimental to the educational well-being of language-minority students.

Before considering these matters in detail, I should state that the Coalition recognizes that Title VII, like all education programs, deserves on-going Congressional review. We believe, however, that the appropriate time to consider fundamental changes in the program is when Congress takes up reauthorization of the Bilingual Education Act. Having said this, I will now turn to major provisions of the bills before this Subcommittee.

I. FUNDING OF PROGRAMS THAT DO NOT USE A CHILD'S NATIVE LANGUAGE

The Administration's proposed amendments to Title VII would eliminate the current requirement that programs include an instructional component utilizing the child's native language. This would constitute a change of fourteen years of consistent congressional policy. That reason alone, of course, should not prohibit change. Yet, that policy was one that was forged after considerable debate, study and testimony. It ought not be changed without similarly thorough consideration.

In any event, we are highly skeptical of any such change that does not place on the recipient a heavy obligation to show that its program will meet all of the needs of the child in an effective, appropriate and timely fashion. More specifically, it remains true, whether we like it or not, that it takes time to learn English. Assuming that an intensive English program can be devised to make a child competitive at some time in the English language, the purpose of education is defeated if the knowledge deficit suffered by delaying substantive instruction cannot be made up. A major court ruling by the Fifth Circuit Court of Appeals, Castaneda v. Pickard, recently held that should a school district choose to delay substantive instruction in the child's native language, it has an affirmative obligation to remediate any resultant substantive learning deficits. It makes a mockery of this ruling and the logic undergirding it if a district's program cannot provide concerete assurance that the child will be made "educationally whole" at some reasonably early date.

Because bilingual education does address the dual needs of English language development and substantive knowledge acquisition it clearly should be preferred. Much has been made of so-called "research" that shows the failure of bilingual education. In this regard, several points are worthy of consideration.

First, no one ever believed that bilingual education was a panacea for all of the problems that bedevil poor, language-minority children. Secondly, contrary to the assertions by new right zealots, substantial evidence does exist to show that a properly implemented bilingual program is more effective in teaching English and substantive instruction than any of the alternatives. In a major, unrefuted review of relevant research studies, Professor Rudolph Troike of the University of Illinois who is a past Director of the Center for Applied Linguistics concluded that:

> A quality bilingual education program can be effective in meeting the goals of equal educational opportunity for minority language children, and if a program is not doing so, something is wrong with the program. [1]

While the state of bilingual education research is far from complete (in part because of limited Title VII funding) the research evidence supporting alternative strategies is much less complete and convincing.

The Coalition finds it extremely significant that both S. 2002 and the Administration's proposals to amend Title VII cite an unofficial Education Department staff report entitled "The Effectiveness of Bilingual Education -- A Review of the Literature." This report received extensive publicity despite the fact that it was never approved by Secretary Bell and was, in fact, the subject of major controversy within the Department prior to its being leaked to the press.

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[1] Troike, "Research Evidence For The Effectiveness of Bilingual Education", National Clearinghouse For Bilingual Education, 1978.

I will not belabor the substantive inaccuracies or methodological infirmities associated with this report; they have been addressed by witnesses in the hearing and by objective scholars and research associations. Nevertheless, I would be remiss if I did not mention one of the more glaring factual inaccuracies contained in the report. The inaccuracy concerns the report's lavish praise for the "structured immersion" program in McAllen, Texas. Indeed, the report suggested that the success of the McAllen program refuted the Federal preference for programs of bilingual education. In point of fact, the McAllen program uses bilingual teachers. More importantly, the McAllen program has been operating for such a short period of time that it has not yielded sufficient data which could be used to substantiate it educational effectiveness.

Without belaboring the obvious, much more thought and research needs to occur before Title VII is amended to permit the funding of non-bilingual programs.

II. FUNDING PRIORITY FOR PROGRAMS WHICH SERVE STUDENTS WHO "USUALLY" SPEAK A LANGUAGE OTHER THAN ENGLISH

This proposal is viewed by the Coalition as motivated primarily, if not exclusively, by the desire to justify further reductions in Title VII funding. It is certainly not grounded on any pedagogical considerations.

At present, children who come from a non-English language background and who, thereby, are limited in their English proficiency, are entitled to participate in a Title VII program. The Administration's proposed amendments to Title VII would establish a "funding priority" for those programs which serve students whose "usual" language is not English. Given the limited appropriations for Title VII, this "funding priority" would, in effect, be tantamount to an eligibility requirement. We have two specific objections to this proposal.

First, it could have the effect of virtually excluding American Indian and Native Alaskan students from Title VII programs. Although most of these students do not "usually" speak a language other than English, many of these students are so limited in their English language proficiency that they cannot succeed in school without special language instruction.

Second, this new "funding priority" could not be implemented in a practical and uniform manner. What language a child "usually" speaks is difficult to assess and is without standards in any event. I suppose this proposal could be implemented in a manner similar to the Administration's program to ensure that children do not "abuse" the school lunch program -- through long forms that parents must fill out. Maybe the Education Department would send forms to parents of language-minority students asking them who speaks with their child, for how long, and in what language. So much for speculation.

III. EXITING OF STUDENTS FROM TITLE VII PROGRAMS ON THE BASIS OF TIME

S. 2002 would arbitrarily limit the length of time a LEP student could be enrolled in a Title VII program. Except for those students who are handicapped, no student could remain in a Title VII program for more than three years.

School districts are obligated to assist limited-English-proficient national origin minority students. This obligation is not circumscribed by arbitrary time limitations. The one court that has confronted a program exit standard based on time rather than student functional ability found it to be violative of civil rights laws which guarantee equal educational opportunity _U.S. v. Texas_ (G.I. Forum) 506 F. Supp. 405, 1981.

Indeed, a provision that uses time as a proxy for proficiency can find no support in the educational literature. Individuals all learn at different speeds. This is certainly true of language. Though we might wish it otherwise, enactment of time limitations on student participation in Title VII programs will not make students learn English faster. Ironically, such time limitations might, in fact, defeat the goal of developing English language proficiency. If this provision were enacted, many children would be removed from Title VII programs before they could acquire the skills necessary for academic success.

By questioning the legal and pedagogical efficacy of an arbitrary time limit we do not mean to suggest that there should not be written into law or regulations effective exiting criteria. Nor do we mean to suggest that failure ought to be met with the indifferent retention of a program that does not work. In fact, the Castaneda decision, previously mentioned, makes clear that a school district is obligated to systematically assess its program and to make appropriate changes when the program is found not to be working.

IV. IMPORTANCE OF READING AND WRITING SKILLS IN DETERMINING ENGLISH LANGUAGE PROFICIENCY

Present Title VII law defines limited-English-proficiency in terms of a child's inability to speak, understand, read or write. S. 2002 would remove consideration of the ability to read and write in determining whether a student was LEP and, therefore, eligible for a Title VII program.

Linguists agree that language, at a minimum, is composed of the four components set out in the current legislation. Teachers will attest to the educational retardation which occurs when students lack effective reading and writing skills. Indeed, in the U.S. v. Texas litigation, State Education Agency witnesses readily agreed that reclassification or exiting of students from bilingual education programs should not take place without the measurement of all four skills.

V. ELIMINATION OF EXISTING REQUIREMENT THAT, TO THE EXTENT POSSIBLE, TITLE VII STAFF BE BILINGUAL

The Administration's proposed amendments to Title VII would eliminate the current requirement that, to the extent possible, Title VII staff be bilingual. At the same time, the Administration's proposed amendments would require that all Title VII staff be proficient in English.

In an ideal world, all instructional personnel in programs serving language minority students would be bilingual -- proficient in English and the native language of the students. However, either because of a limited supply of bilingual teachers or because of tenure laws, many teachers in such programs have not been proficient in the child's native language. In many classrooms, the only persons who speak the child's native language are teacher aides. Although most of these aides speak some English, many are not fully proficient in English. Nevertheless, their communication skills provide a vital link between monolingual English-speaking teachers and children who do not speak or understand English. Quite simply, we believe that language-minority students are better served by the existing

Title VII staffing requirements than they would be by the new staffing requirements proposed by the Administration.

CONCLUSION

As noted at the outset of this statement, the American Coalition for Bilingual Education appreciates the need to review Title VII and its effectiveness. Like other Federal programs, Title VII could be improved.

The legislative proposals currently before the Subcommittee cannot be viewed as improvements to the Bilingual Education Act. If enacted, the proposals would fundamentally alter the kind of instructional services provided under Title VII. They would also limit the number of children eligible for Title VII assistance and restrict the amount of special language instruction school districts could provide to LEP students. Some of these proposals are contrary to logic and sound pedagogy. Others are highly speculative or are based on so-called policy research which is substantively and methodologically flawed. For these reasons, we urge Congress not to act upon S. 2002 or the Administration's proposed amendments of Title VII.

Senator STAFFORD. Thank you.

Ms. LINDIA. Thank you, Mr. Chairman.

I am proud to be here today as a bilingual educator and a representative of a school district than can effectively demonstrate the success of "good" bilingual instruction.

Eleven percent of Rhode Island's student population has a primary language other than English. In Bristol, that language is Portuguese.

Our bilingual program provides our Portuguese students who are limited in their English language proficiency with the skills they need to achieve success in our district's English language curriculum.

Indeed, the need for our bilingual program is great. During the last 3 years, 217 students dropped out of Bristol High School. Of these, 26 percent were Portuguese-speaking students with limited English proficiency. This drop-out rate is six times that of the non-LEP Bristol High School population. The students who dropped out in the past 3 years have not had the benefit of bilingual instruction.

Since the inception of our program in 1977, evaluation reports have documented the fact that students in our bilingual program made substantial gains in all cognitive areas.

Our success, I believe, is the result of several factors. Some of these factors relate to matters which would be affected by the legislation before the subcommittee.

The first critical factor is that our program includes both substantive instruction provided by a bilingual teacher and English as a second language instruction provided by an ESL teacher. In other words, the students in our program have two teachers who work together as a team. The teaching team is also supported by a paraprofessional bilingual aide.

The second critical point is the way we "exit" students from our program. The exit process is initiated by the teaching team. Upon the request of a student's teaching team, I convene a meeting. The participants in the meeting include the student's bilingual teacher and ESL teacher, the school principal, the teacher who is to receive the student upon exit from the program, the school principal, and for sixth and seventh graders, the school's guidance counselor. Together, we review test data regarding the student's academic progress and potential for success outside the title VII program.

If, in our professional judgment, the student is ready to be mainstreamed, the student's parents are contacted. With the parents, we review the student's progress, explain our recommendation, and obtain the parent's consent to exit the student from our program. If mainstreamed students show weaknesses in any of the learning skills, a resource teacher works with the student to help him or her develop the needed skills.

The third critical factor is that a majority of my teachers and nonteaching staff are bilingual. Without equivocation, I can say their ability to speak both Portuguese and English makes our program a success. My staff is able to communicate effectively with our students. At the same time, our bilingual staff are able to communicate effectively with the parents of our students, most of whom are monolingual Portuguese. I cannot stress enough how important this is; parents are vital to successful education, and parental involvement requires effective communication.

In closing, I hope that this subcommittee will cut through the so-called controversy surrounding bilingual education and will focus on how title VII does provide and could better provide effective education to limited English proficient students. Not all bilingual education programs are effective, but bilingual education has proven to be a successful way of meeting the special instructional needs of language-minority students.

I wish that we had more time today. Language and education are not simple matters. One thing, however is simple—and that is the fact that we cannot afford to ignore the educational needs of the millions of limited English proficient students in the United States.

With each passing day, our country becomes more technologically complex, and our world more economically competitive. We cannot afford, in dollar or human terms, to have our students fail academically because of surmountable language barriers.

Thank you, Mr. Chairman.

Senator **Stafford**. Thank you very much, Ms. Lindia.

[The prepared statement of Ms. Lindia follows:]

Washington, DC
April 26, 1982

Testimony by Maria Lindia

My name is Maria Lindia. I am the Title VII Project Director for the Bristol, Rhode Island Public Schools. I am here today as the chosen representative of 120 non-English speaking families in my school district.

I would like to begin by telling you about Lucia. Lucia is now 16 years old. She was a bilingual student for two years and was partially mainstreamed into a regular program during her third year in the Bristol system when she was in sixth grade. Lucia is presently in High School and has become an excellent student. Upon turning 16 she was under pressure from her family to work to help them so they would not have to seek welfare. Because she was doing well in school she felt she wanted to complete her high school education and perhaps continue further.

Lucia sought my help and asked me to intervene and I have been able to help her secure a job which will allow her to complete school. Her parents are happy with this decision and with her capability, particularly since they have a very bright older son whose life took a different turn.

Lucia's older brother also went to the Bristol schools but was not so fortunate as to benefit from a bilingual program. He had difficulty in school because of his poor English language skills and constantly was failing. He dropped out as soon as he could, became unemployed, got himself into trouble and is now serving time in the Adult Correctional facility.

This simple story can be retold with slightly different names and circumstances for up to thirty percent of Bristol's Portuguese speaking families.

Bristol, Rhode Island, is representative of a great many New England cities and towns which have had and continue to have a large minority of Portuguese speaking immigrants. From the first whaling ships that brought back new deck hands from the Azores until the present, there has been a steady influx of Azorian Portuguese into Bristol, Fall River, Ma., New Bedford, Ma., and many other smaller cities. This immigration continues and so there are newly arriving students all year round in these school systems.

Our bilingual program has quietly begun to turn around what has been a vicious pattern of school failure, dropout, unemployment and crime which we all know far too well. Because our program only began in 1977, we are just now able to see comparisons which might serve to elucidate the drama that is unfolding and the real impact the program is making on our students. We can recognize some of the deeper trends that have begun and to interrupt this now would be disastrous.

During the last three years, 217 students have dropped out of Bristol High School. Of these, 26 percent are Portuguese speaking students with a Limited English Proficiency. This number is six times that of the regular Bristol dropout and three and one-half times that of students dropping out elsewhere in our state. These students, like Lucia's brother, have not reaped the benefits of a bilingual education.

We have focused on our elementary school children and have served 200 students in grades one through four. The average length of time each student needs to be mainstreamed is about three years. About one third of our students have been mainstreamed within this time, about one third have done it faster, and the others still need more time. The first group of these students are now turning sixteen, and the cycle is beginning to be broken.

Lucia learned fast, and is now doing well. She did, however, need two years of bilingual classes as well as a third transitional year. Other students take longer.

We have serious doubts that our students will benefit from just one year of English, for all of us except the few with exceptional linguistic talent, takes longer. If any of you have ever traveled in foreign countries in which you don't speak the language, you know what it feels like to be "dumb". For, you and we are mute when we are unable to learn and express our knowledge and questions. Our students cannot be put into this position of continually being dumb, and therefore feeling dumb, and knowing that they are too dumb to succeed in school. They must learn instead to distinguish between school content, skills and English acquistion.

There is a strain of thought in our country that has been opposed to bilingual education because "their grandfathers made it". In today's world we must recognize that literacy does not only mean reading and writing, but now must include an increasing knowledge of computers and technology. Like our students, our society is in a period of transition where high unemployment speaks to a lack of preparation for the jobs advertised in Sunday's paper. Our students cannot just walk into a job market without an education. There are few, if any, jobs which lead to the Horatio Alger story. Training is mandatory for a society in which full employment becomes reality. We are no longer in our grandparent's age, and our needs are different.

Our students must be allowed the opportunity to graduate and to go on for advanced learning and/or training. They will not do this when continuous school failures teach them they are dumb. They have begun to do this now that our bilingual program has successfully mainstreamed children presently in High School who have had successful school experiences. The statistics are not yet in, for like Lucia, many of our first bilingual graduates are just turning sixteen.

A major concern of our families and other community residents and public officials is the arbitrary limitation proposed by Senator Huddleston for a maximum of one year's instruction in a Title VII program. Based on my eight years of experience with Limited English Proficient students, I can say without equivocation that this goal is both unrealistic and potentially detrimental to the educational future of our children.

As research has long substantiated and any parent can attest to, children learn at different rates and through a variety of techniques. To restrict all Title VII instruction to English only does not take this variety of learning needs into account and fails to separate the different skills of learning content and learning English. We might have lost Lucia had she not been given the time she needed to succeed.

As our children and our program demonstrates, it is important to recognize both the variability in learning style and individual language needs and to program for those differences. By not providing for these options to be implemented at the local level, professional judgement cannot be exercised in the best interests of these younsters.

While some unofficial studies have received disproportionate publicity in their efforts to disclaim the effectiveness of the Title VII programs this should never be interpreted to evaluate the success of bilingual education in other parts of the country. Our students are just now beginning to demonstrate the changes taking place in Bristol.

We must voice concern that publicity and focus has again been on programs that have not been successful, rather than seeking and finding models that work. Better evaluation procedures and assessments might allow for a greater success nationwide, and would not bring us here today trying to stop a restriction which would "throw out the baby with the bathwater". Yes, some students can be mainstreamed within a year, but they are a minority and will succeed anyway, and, the sad reality is that the others will give up and drop out.

Once that happens it becomes all of our problems. It is far more cost effective both in dollars and in human terms to allow children the time they need to acquire English, than to pay for them later as truants, drop outs, unemployed, or criminals. The direct link between these options is dramatically elucidated in Lucia's family and in at least 60 others like it in Bristol alone.

The United States was made great through the blood, sweat and tears of its immigrant populations. The Smithsonian Institution here paid its tribute with the bicentenial exhibition dedicated to tracing the donations of each immigrant group.

We must allow our newly arriving students to tie into the history that has brought us into our third century and not restrict their capacities, energy, and dreams. We cannot forget our obligation and commitment to seek the best of each of us to participate in those dreams.

I would like to take this opportunity to personally invite each of you to visit our "biggest little State in the Union", and verify first hand the accuracy of these statements. Thank you.

Senator STAFFORD. I now do have a few questions, and once again, I would ask you to be as brief as you can, but the committee will keep the record open, if you feel that you wish to expand an answer, so that you can do so in writing in the event you want further detail to appear in our record.

Mrs. Eisenhower, some critics of the Fairfax County ESL program have said that ESL worked there because your county is wealthy and therefore can devote the resources to make it work. Also, it has observed that the student body is more affluent. These observers infer that the Fairfax experience should not be used to predict how ESL would function in other settings. Could you comment on this, and before you do, I would parenthetically say that my Washington address is in Fairfax County. [Laughter.]

Mrs. EISENHOWER. I have heard this so much that it is becoming almost a litany, like a "Hail Mary". Our students this year, over 80 percent of those who have registered in Fairfax County have been monolingual immigrants. Sixty-two percent of them are on "Free Lunch." We have an increasing percentage that are coming in that are nonliterate or semi-literate. We have only 17 percent of the children who are children of diplomats and professionals; these are children who are in Fairfax County temporarily.

We are dealing with the same population as most of the school systems around. Yes, we are affluent, and are proud of the resources that we have made available for this program. But I would like to remind you that we devote less than 23 percent over and above the per pupil expenditure for our program, which in my opinion, is quite cost effective as it includes provisions for year-around instruction. We offer summer school, translation services, counseling and other adjunct services beyond our instructional program.

And one last thing, the Fairfax County program works because we have made a commitment that nothing but the best-qualified teachers will instruct these children. We categorically deny that just because a person speaks Korean and they have a degree in pediatrics for example, that they are qualified to prepare the children for prereading readiness and success in elementary school.

We have put together a dynamite combination of a curriculum that was specifically designed to work hand-in-hand with the regular instructional program. We have brought staff that is trained in elementary education and in second language acquisition, put them together in a very supportive atmosphere, and the results speak for themselves.

Senator **Stafford**. Thank you very much. I guess the Chair should now note that his presence in Fairfax County is not one of the reasons it is said to be the most affluent county in this area. [Laughter.]

Mrs. Pompa and Ms. Reyes, I understand that Houston's school district uses native language instruction and ESL and is embarking on an immersion program. If your school district is willing to utilize these three approaches, my question is, why should the Federal Government only support one of those?

Mrs. **Pompa**. I think the question is not so much "willing to" as "having to." We support dual language instruction and would like that for all of our children. Because we do have numerous language groups of children that number sometimes under 20, sometimes only 2 students that speak a language, it is not always feasible to have a dual language program for our children. In these cases, we have English as a second language program.

Our immersion program, as I stated earlier, is a pilot project that has been in operation for about 4 months now. Our preliminary research is showing that it is not really working with the kinds of students we have. The teachers are having to use native language instruction with the children to get across some of the points. The parents of these children are asking why the native language is not used. And perhaps we are finding we are one of the populations that immersion does not work with.

Senator **Stafford**. Thank you very much.

Ms. Blaunstein, some observers have indicated that Federal support for other approaches to language minority education, in addition to transitional bilingual education, could jeopardize transitional bilingual education. The argument seems to be that transitional bilingual education is more expensive, and that the disincentives created by these costs would almost force school boards de facto to choose other, less costly approaches.

What are your views on that, and also would you comment on whether the $95 million authorization in the administration's bill is considered to be adequate?

Ms. **Blaunstein**. We think the answer to the first part of your question is probably "No." Transitional bilingual education is an institutionalized part of the educational system. In a recent study done by the Education Commission of the States, it was noted that

30 States mandate or prescribe bilingual education, and that means that there are thousands of local school districts that incorporate bilingual education in their teaching of limited English proficient students.

However, we do believe that curriculum choice is a matter best left to local school districts, and should a local school district choose to use methods other than transitional bilingual education, we would support that.

We feel that local school districts are in the best position to determine the methodologies used to meet the needs of their constituents and are in the best position to gage those needs.

In terms of ESL programs, if a school district feeling severe fiscal constraints, as most are in these times, chooses to use ESL, it would probably afford those districts the opportunity to serve larger numbers of children, and so that might be a potential benefit and advantage in doing so.

But most importantly, we feel that the quality of the program is far more important than any single approach. The quality of the program really depends on trained, sensitive, caring teachers, administrators who understand the problems of the kids in that district, and well-developed curriculum. This makes much more sense than any single approach or any variety of approaches. If the teachers are well grounded in methodology, if they understand the research findings, if they are sensitive to the needs of students, then we believe any of these approaches can work successfully.

And in this regard, I would like to say that we would advocate for additional funding for teacher training. We feel this is absolutely critical. A poor teacher who uses ESL, immersion, or transitional bilingual education will doom the potential achievement of their students.

Now, should funds be reduced—no. We would oppose that. And in fact, if the budget conditions improve, we would like to see funding increased. Additionally, we would like to see title VII become a service program, rather than a demonstration program. We feel that there are going to be increased numbers of children who are limited English proficient, and that the responsibility for this must be shared, as the actions created by the Federal Government have caused a tremendous burden on school districts.

Federal and national policy, including Supreme Court decisions, civil rights policy, and immigration laws, have all created large numbers of children who will need this instruction, and the schools must respond in order to provide these children equal educational opportunity.

Senator STAFFORD. Thank you very much.

Let me address this question first to Ms. Lindia, if she cares to comment, or her associate, and then to all of you.

When considering the educational deficiencies of language minority students, is it the language problem or the level of economic disadvantage that is the primary source of a child's educational deficiencies?

If you would prefer to respond in writing rather than now, we would be glad to have it done that way.

Ms. LINDIA. Yes, I would prefer to respond in writing.

Senator STAFFORD. All right.

Mr. LYONS. Mr. Chairman, indeed, language, socioeconsmic status are some of the variables which impinge on the way in which a child learns. I think what is also clear, and it has not really been stated very well this morning, is that when we talk about the factor of language we must also talk about discrimination. There is a long history of language-based discrimination in our public schools; in some areas of the country, children have been penalized for speaking their native language on school property.

We are now looking at the question of what is best for our children, and we cannot ignore history in so doing.

I would simply raise one other point that I think is critical. We will be providing you with a number of studies which critiques the Baker-DeKanter report. One such critique we will submit for the record is by the American Psychological Association. The APA critique is important for it shows that it is not just Hispanic educators who are concerned about the policy research being carried on by staff in the Department of Education. We will also be providing you with information specifically on the question of whether it is language or whether it is SES that prevents language minority students from receiving equal educational opportunities.

[The supplemental statement of Mrs. Lindia follows:]

PREPARED STATEMENT OF MARIA F. LINDIA

Children in the Bilingual/ESL programs come from immigrant families. Immigrants, as newcomers, have little access to the political and economic mainstream of American society. One of the major factors that prevents such access is the immigrant breadwinner's inability to handle English: consequently, this keeps the non-English speaking immigrants in low-paying manual or non-technical jobs. Since the children of these immigrant breadwinners rely on parents for economic support, their low economic status reflects the parents' inability to find high paying jobs.

Unless the parents are trained professionals, like doctors or businessmen with transferable skills, they will not have access to the economic advantages of mainstream Americans. Bilingual/ESL education is a vital necessity because, even for immigrants of high socioeconomic status, their children must learn English in order to unlock the economic door to prosperity in English speaking America. For example, many of the Cuban political refugees of the early 1960's were professional and white-collar people whose children had to have Bilingual/ESL education in order to succeed. Therefore, in answer to Senator Stafford's question, I would have to say economic need alone should not be a necessary criteria for the granting of Title VII funding. As I have suggested, there is no necessary connection between lack of English language skills and the socioeconomic status among the several ways of the non-English speaking immigrants who came to the United States between 1960-1980. The single significant factor in all non-English immigrant's experience during their integration into mainstream America is language and, to be specific, the tremendous barrier to entry into the American mainstream caused by a lack of English speaking skills for the immigrant and his children.

In conclusion, I would like to reiterate that Bilingual/ESL programs are needed, not because of socioeconomic status, but because of the English language deficiency which, for the most part, dictates employment options and quality of life for these new Americans and most especially for their children: children who are the future of America.

I appreciate your concern in addressing these important questions at this critical time. I also appreciate the way my testimony was received and regarded. I wish your committee the best of luck in reaching your decision. If I may be of any further assistance, please do not hesitate to inform me.

Senator **Stafford**. Thank you very much.

Do any others care to comment?

Mrs. Pompa?

Mrs. **Pompa**. Mr. Chairman, while we are very cognizant of the fact that sociocultural variables have a lot to do with learning, we have found in our District that in ESL classes where we have a mixture of different income children from different language backgrounds, there is no difference in the rate at which they acquire English.

Senator **Stafford**. Mrs. Eisenhower?

Mrs. **Eisenhower**. I think that is sometimes a trap we fall into with the best of intentions. I cannot deny that instruction in the native language, when it is available, when there is the proper curriculum, when there are the best trained teachers, is the best method to teach the children. But sometimes, we look at the labels and forget that the main ingredient for education is how a program is implemented.

It is the atmosphere that one creates in the classroom. The five universals I pointed out earlier that should be present in any program, whether it is a transitional program, an ESL program, or an immersion program. Get together the commitment of the school system with the qualified staff, with a curriculum that has not been imported from Spain or Puerto Rico or France. I have seen a program where a French program has been brought from France to teach Haitians. These children were learning a third language. We have to be careful that the curriculum that we are teaching these children has at least a nodding acquaintance with what the other children in the regular fourth grade are being taught.

We need to identify these children properly, monitor them while they are in the program, and mainstream them when they are ready, and not 1 minute before.

I really think that these universal variables have a lot more to do in the success of the education of these children—that is not to say that economic or social considerations are not important, but a good program goes a long way to equalize these inequities and to help these children learn.

Senator **Stafford**. Thank you.

If there is no further comment, for the subcommittee, I want to express appreciation on behalf of all of the members for your attending this morning and assisting us in this difficult task that lies ahead for the subcommittee.

Yes, Mrs. Eisenhower?

Mrs. **Eisenhower**. I neglected to say that we have an evaluation of our program for the year 1980-81. It will be available on May 1. I regret I was unable to bring it with me.

Senator **Stafford**. We will keep the record open and make it a part of the record.

Mrs. **Eisenhower**. I will be responsible to deliver it very shortly after May 1.

Senator **Stafford**. Very good.

At this point I order printed all statements of those who could not attend and other pertinent material submitted for the record.

[The material referred to follows:]

MARK O. HATFIELD, OREG., CHAIRMAN

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United States Senate
COMMITTEE ON APPROPRIATIONS
WASHINGTON, D.C. 20510

May 5, 1982

The Honorable Robert Stafford
Chairman
Subcommittee on Education,
  Arts and Humanities
309-D Senate Courts
Washington, D.C. 20510

Dear Bob:

Please find enclosed copies of a statement prepared by one of my constituents, Beatriz C. Andrews of Western Oregon State College in Monmouth, Oregon, regarding your recent hearings on bilingual education.

I would very much appreciate, if at all possible, Ms. Andrews' statement being included in the hearing record of your April 26 hearing. She was unable to obtain time to testify at that hearing, but I believe her statement is quite short, lucid, and supportive of your efforts to improve the use of bilingual education in our nation's public schools.

I appreciate your consideration in this matter.

Kind regards.

Sincerely,

Mark O. Hatfield
United States Senator

MOH/jam
Enclosure

"Bilingual Education Amendments of 1981"
"Bilingual Improvements Act of 1982"

Testimony Submitted to
U.S. Senate Subcommittee on Education, Arts
and Humanities by
Beatriz C. Andrews, Assistant Professor
of Education
Western Oregon State College
on April 26, 1982

Introduction

The lack of a language policy in the United States has traditionally diminished the potential national resource which may be found in bilingual education. Due to this lack of focus or position as a nation, bilingual education has been perceived as a threat to our loyalty to the nation. For this reason, we hide behind our ambivalence by attacking and constantly changing a program of instruction which promotes unity, not separatism; English language proficiency, not bilingualism; human understanding, not cultural politics.

Language and ethnic diversity should be perceived as a national resource needed for international business and diplomatic concerns. Instead, we have applied the conversion theory to language and culture in an attempt to make us all a monologinual ethnocentric society. Bilingual education, a viable proven approach used to assist children in developing English language proficiency through the use of the students' native language, has been caught in a national controversy which jeopardizes equal access to learning and academic success for children of limited English proficiency. Bilingualism should be considered a national investment, and educational giftedness rather than a problem which needs to be eliminated. We need to recognize the capability of the human mind to learn and store language and information. Why do we refuse to accept these capacities and potentials in the most technologically advanced country in the world?

Maybe we need to redefine the role of public education while establishing language policy so that bilingual education does not become a problem but a solution in education. The role of public education is not to teach English exclusively but to educate our children in a variety of subject matter areas required by individual state standards. Without bilingual education as previously defined, children of limited English proficiency would not be given access to the full school program, denying them the opportunity to acquire the same skills, knowledge, and abilities as their English speaking counterparts. Without bilingual education, the public education "minimum competencies" and "basic education" standards would not be equally applied, with equal expectations for limited English proficient and English speaking students.

The state of Oregon has an estimated 11,429 students of non or limited English proficiency; and at least fourteen statutes and administrative rules which regulate services to those students. Services are presently being provided to students from thirty-four different language groups. Out of 310 school districts in the state, four are receiving funds under Title VII, ESEA and sixty are receiving formula type grants under the Refugee Children's Assistance Program.

The districts funded under Title VII, ESEA provide two-language approach instruction, as well as other approaches on local funds. Student language and academic need, educational theory and research, as well as family circumstances and choice usually determine the best approach or placement for students in these districts. Districts receiving funds under the Refugee Children's Assistance Program, for the most part, provide English language development services with native language and cultural support through the use of instructional assistants and community volunteers.

Following is a discussion of the proposed bills being considered at this time relative to bilingual education. Oregon's children of limited English proficiency would benefit from reconsideration by your committee of the proposals being made under Senate Bill 2002 and the Administration's Bill.

Senate Bill 2002 "Bilingual Education Amendments of 1981"

This proposed legislation is unnecessary and educationally unsound. It is unnecessary because all bilingual education programs already include an intensive course of English instruction and their main goal is for children to acquire English proficiency. It is educationally unsound because there is no evidence that language proficiency needed for learning in that language could be acquired in a period of one year.

"Bilingual Education Improvements Act of 1982"

Definition of a Program of Bilingual Education--

The proposal does not endorse a two-language approach as a viable and proven instructional process. If English as a Second Language or other approaches are made possible under the proposal, limitations on the use of approaches other than the two-language approach should be placed. Limitations may include grade level considerations, or insufficient number of children of any one language group needed to establish a bilingual education classroom. Language of the bill should be revised to include endorsement of the use of both the native language of the child and English with exceptions only in extenuating circumstances to be described and supported with appropriate data.

Personnel--Targeting

The proposal diminishes the importance or role of the language other than English. The bill should include requirement of proficiency in English and in the other language used to provide instruction. When a two-language approach is used in instruction, the teaching personnel should be required to demonstrate fluency and proficiency in the languages of instruction. Even in situations where the two-language approach is not utilized, teaching personnel should still have knowledge of the children's language and culture, in order to facilitate understanding and communication within the classroom environment.

Training Programs--

The proposed language would allow for competition of programs for in-school youth with out-of-school youth. Programs for in-school youth are eligible under the Title VII Basic Grants Program. If out-of-school youth needs are to be properly addressed, the language of the bill should assure it through creation of an area or category with adequate appropriations to carry out the efforts.

Research--

The proposed language in this section seems inappropriate and/or premature in nature. Studies and research on alternative practices to the two-language approach have already been conducted and are available for review. Rather than spending additional federal support in 1983 to determine alternative methods or approaches; federal support should first focus on a comprehensive review of the literature and of existing approaches which are operant and may be working at this time.

Authorization of Appropriateness--

Since there is a proposed reduction of funds under Title VII, ESEA, from $166 million in 1980 to $95 million in 1983, the administration should not be necessarily broadening its scope of work to include alternative approaches to the two-language approach in bilingual education. It seems as if this bill is proposing to do more for more students with less. We should be satisfied if we can do the same or the equivalent of the same through capacity building at the local levels; with fewer resources.

Conclusions

Bilingual education is basic education for many children, and the proposed bills weaken the access to this basic education. In addition, excellence in educational programming would be greatly compromised if revisions in the language of the "Bilingual Improvements Act of 1982" are not made and if the "Bilingual Education Amendments of 1981" are not totally withdrawn.

Bilingual education is and should be an educational issue; but when the rights of our education are jeopardized for a select group of students, bilingual education will again become a civil rights issue. It is up to you as decision-makers and representatives of the people to keep bilingual education in the school system and out of the court system.

Oregon is counting on you and other members of Congress to take a sensitive and fair approach on these matters. We need to get through this process and then examine bilingual education once more, but the next time as an international issue and as a national need. Bilingual education should be available to all children if we expect future generations to resort to better communications among nations.

ht
4/23/82

COSSPO
COMITÉ DE PERSONAS DE HABLA ESPAÑOLA DE OREGON
Committee of Spanish Speaking People of Oregon

April 23, 1982

Senate Subcommittee on
Education, Arts and Humanities
United States Congress

Honorable Subcommittee Members:

The Committee of Spanish Speaking People of Oregon fully supports and endorses the testimony being submitted by Beatriz C. Andrews on the "Bilingual Education Amendments of 1981" and the "Bilingual Education Improvements Act of 1982" as representative of our Board and of the Hispanic community's issues our organization serves.

Respectfully yours,

José Calderón Jr.

Jose Calderon, Jr.
Chairman of the Board of Directors

1006 S.E. Grand / Portland, Oregon 97214 Fed. I.D. #930678343 Phone: (503) 238-1387

RESUME

BEATRIZ CASALS-ANDREWS

EDUCATION

1976-81	*Western Oregon State College*, Monmouth, Oregon (M.A. in Handicapped Learner Education)
1974	*Barry College*, Miami Shores, Florida (graduate work)
1971-73	*Barry College*, Miami Shores, Florida (B.A. in Spanish, English, and Education, summa cum laude)
1972	*University of Miami*, Miami, Florida (Special certificate program) Filosofia y Cultura Hispana
1966-70	*Broward Community College*, Fort Lauderdale, Florida (A.A. with honors)
1965-66	*Lindsey Hopkins*, Miami, Florida (high school)

EDUCATIONAL ACHIEVEMENTS

President's and Dean's List, Broward Community College

President, International Foreign Language Organization, Broward Community College

Full academic scholarship, Barry College

Dean's Conference, Barry College

President, Alpha Mu Gamma Foreign Language Honor Society, Barry College

Kapa Gamma Pi Catholic Women's National Honor Society, Barry College

Coordinator, Panamerican Cultural Program, Barry College

Federacion Estudiantil Cubana, Barry College

PROFESSIONAL EXPERIENCE

1981-Present Western Oregon State College
Assistant Professor, Education; Coordinator Bilingual-Multicultural Programming.

1975-81 Salem Public Schools, Salem, Oregon
Title VII, ESEA and Title IV, Civil Rights, Programs Director and Bilingual Programs Coordinator:

- Provide leadership in planning, implementation, and evaluation of seven Bilingual Education Programs (Spanish and Indochinese Languages Basic Programs of Bilingual Education; Newcomer Center Demonstration Project of Bilingual Education; National Origin Desegregation Project; Indochinese Refugee Act Program)
- Provide state-wide technical assistance to educational agencies serving limited English proficient students under a special state grant
- Coordination of recruitment, employment, and resource support to seventy-eight staff members
- Coordination of district, state, and regional resources
- Identification and coordination of materials development for classroom use
- Development and implementation of a communications plan to increase district and public support for bilingual education
- Development and dissemination of program information
- Coordination with Advisory Council, Lau Planning Task Force and Parent Advisory Committee
- Coordination of training activities for administrative and certificated staff, and career ladder component for paraprofessionals
- Development of federal, state and local proposals for needed funding
- Supervision and evaluation of twenty-nine staff members
- Coordination in the implementation of the evaluation design
- Development of budget and fiscal management in excess of one million dollars

Secondary Bilingual Program Resource Specialist:

- Assisted in planning, development and implementation of the Secondary Bilingual Program at five sites and provided technical assistance to classroom teachers

Secondary Bilingual Program Teacher, Waldo Middle School:

- Developed and piloted the Secondary Bilingual Program at Waldo Middle School

Title I-M Home/School Counselor, Waldo Middle School:

- Provided counseling services to students and served as liaison between the home and the school
- Taught language and reading to migrant students

1974-75 Broward County Schools, Ft. Lauderdale, Florida

- *Spanish and English teacher:* Classroom and curriculum responsibilities

1973-74 Madonna Academy, Archdiocese of Miami, Florida

- *Spanish teacher:* Classroom and curriculum responsibilities

1972-73 North Miami Beach Senior High, Miami, Florida
- *Spanish intern:* Classroom and differentiated staffing responsibilities

1966-70 The Paperback Book Shop, Inc., Hollywood, Florida
- *General Manager:* General administrative responsibilities

PROFESSIONAL COMMITMENTS

Committee of Spanish Speaking People of Oregon, Board of Directors	1979-Present
Salem Area Forum on Indochinese Refugee Affairs	1979-1981
Salem Community Housing Resource Board	1980-Present
Region X Bilingual Coordinating Council	1979-Present
Title VII Advisory Committee to State Department of Education	1978-Present
Title IV Advisory Council to State Superintendent of Public Instruction (funding recommendations, program monitoring)	1978-81
National Association for Bilingual Education (1979 Conference Planning Committee, National Elections Committee)	1978-Present
Oregon Association for Bilingual Education (Legislative Committee Chairperson, 1979-80 Conference Coordinator)	1976-Present
Santiam Girl Scout Council, Board Member	1981-Present
National Association for Asian-American and Pacific Education	1978-Present
Chicano Task Force on Research and Development	1978-1981
Affirmative Action Advisory Committee, Salem Public Schools' School Board	1978-80
National Education Association, OEA, SEA (Minority Involvement in the Profession)	1975-78
Salem Education Association — Executive Board Member	1977-78
American Association of Teachers of Spanish and Portuguese	1973-79

PROFESSIONAL INVOLVEMENT

- Presented at the Western Regional Migrant Education Conference, February 1982, on "Marketing Strategies in Education"
- Conducted training for the San Diego State University BESC in the area of "capacity building" bilingual education, April, 1981
- Presented at the Title VII Western Management Institute, March, 1981 on "Marketing Strategies for Bilingual Education"
- Developed adopted budget plan for Salem school to "capacity build" bilingual education in its general fund budget from 1979-1984
- Developed planning document to be implemented during 1980-81 for Salem schools to adopt a voluntary Lau Compliance Plan
- Provided testimony before the State Board of Education, Senate and House Education Committees, Ways and Means, House Committee on Aging and Minority Affairs, as and when requested by these policy and legislative bodies
- Made presentation on bilingual education to the 1980 Oregon School Boards Association State Conference where a resolution was passed to promote bilingual education legislation in the State of Oregon
- Assisted educational agencies in the development of proposals for Title VII, ESEA Basic, Training, Fellowship, School of Education, and Support Service Center grants
- Provided testimony to the Governor's office on the need to form a State Hispanic Commission
- Developed and conducted a seminar on "Legal Aspects of Equal Opportunities in Education and Employment" for Western Oregon State College
- Served as advisor to Salem School District, 24J, Salem, Oregon, regarding a national-origin discrimination case, and as liaison between the district and the complainant
- Planned and conducted an interpersonal relations seminar to alleviate racial tensions in the classroom at Plantation High School, Ft. Lauderdale, Florida
- Assisted in desegregation activities with Spanish-American, Black and Jewish student populations at North Miami Beach Senior High, Miami, Florida

PERSONAL DATA

Address: 1740 Highlight Court, South • Salem, OR 97302 • (503) 371-9055

Marital Status: Married, two children

Background: Born: Havana, Cuba, May 15, 1948
- Native Spanish speaker
- Moved to United States, October 1962
- Product of an elementary Spanish-English bilingual education program with French as a third language of instruction

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United States Senate
COMMITTEE ON LABOR AND
HUMAN RESOURCES
WASHINGTON, D.C. 20510

May 18, 1982

The Honorable Robert T. Stafford
Chairman, Subcommittee on Education
Committee on Labor and Human Resources
United States Senate
Washington, D. C. 20510

Dear Bob:

Attached is a copy of a statement in support of Title VII, Bilingual Education Programs, by Phillip E. Runkel, Superintendent of Public Instruction with the State of Michigan Department of Education. I request that you include this statement in the record of hearings which the Education Subcommittee held concerning Bilingual Education on April 23 and 26, 1982.

Thank you for your attention to this matter.

Sincerely,

Don

Donald W. Riegle, Jr.

DWR/rl

Attachment

BY

PHILLIP E. RUNKEL

SUPERINTENDENT OF PUBLIC INSTRUCTION

STATE OF MICHIGAN

Bilingual education is currently under the sharpest attack in its history. The Administration has proposed a 32% funding cut in its 1983 budget, coupled with proposals for programmatic revisions in the legislation. The Administration's bill, S. 2412, introduced by Senator S. I. Hayakawa (R-CA) would permit the funding of non-bilingual programs out of funds available under Title VII, ESEA. This bill also weakens the provisions that bilingual teachers be bilingual and would restrict the numbers of children eligible to receive services with Title VII monies. Another bill, S. 2002, introduced by Senator Huddleston (D-KY) would limit children's participation in bilingual programs to one year, restrict a district's perogatives to decide which children are in need of bilingual programs, and impose additional paperwork requirements on local districts. Provisions in these bills would have the effect of drastically diluting the scarce funds available for bilingual education programs and represent a significant departure from the federal commitment to improving the educational opportunities available to limited English proficient children. The scant federal resources currently allocated to this program are inadequate to address either children's need or district's demands for bilingual programs. These bills will have the effect of further exacerbating the shortage.

The recent evaluation report of bilingual education in Michigan found that bilingual programs have been very beneficial for our limited English proficient students. The report concluded that "scholastic achievement among bilingual students was found to have increased at a rate faster than normal in English reading." Students also had a higher rate in learning mathematics. In the most real sense, our programs have succeeded in meeting the students' educational needs. We have not only been able to teach these students English, but have been able to offer them an instructional program which has allowed them to keep pace academically with their native English speaking peers. Our programs have been able to do this largely because of attention to improving parental involvement and employing trained bilingual staff. Our bilingual evaluation report indicated that the variables contributing the most to improving achievement were "frequent family participation in the schools and the provision of instruction by teachers who have bilingual endorsement." Based on the successful findings of the evaluation, our report also contained recommendations that districts should:

- specifically encourage parental participation with school activities;
- employ endorsed bilingual teachers in bilingual programs;
- ensure that aides receive appropriate inservice training;
- devote necessary effort to ensure the systematic testing of all students in the bilingual programs.

Title VII funds were an important incentive for establishing this successful program in Michigan and continue to supplement our efforts. Services from Title VII training and technical assistance functions have also been important in helping Michigan evolve the high quality programs of which we can justly be proud. In fact, acting upon one of the recommendations in the evaluation report, Michigan has applied for Title VII funding to establish a parent involvement project in addition to funds for basic programs for children. This federal assistance has never been more crucial considering the dire financial straights in which the State now finds itself. The financial resources simply do not exist in Michigan this year to meet the critical needs of our limited English proficient students. Title VII works and we need it.

The Administration's proposal to amend Title VII would allow non-bilingual approaches to compete for bilingual funds. The two principal non-bilingual approaches mentioned in Department of Education documents and testimony are Immersion and English as a Second Language (ESL). The mention of ESL as a separate approach from bilingual education can be confusing since ESL is always an integral part of bilingual education. When these documents refer to ESL as an alternate approach, they refer to the teaching of English with a methodology appropriate for second language learners; the curriculum and methodology for all other courses is usually that designed for native English speakers. Immersion is less clearly defined as most comments are based upon one Canadian study which would probably be classified as a bilingual programs in this country. The Baker-DeKanter literature review defines immersion programs as those where almost all instruction is given in English, but by fully bilingual teachers. Instruction is structured in such a way that students learn both English and content curricula simultaneously. In the United States immersion programs for limited English proficient children have been extremely rare, most experiments involve teaching fluent English speaking children a second language.

Title VII primarily funds Transitional Bilingual Education (TBE) programs. TBE is an approach which utilizes both English and the students' native language in order to help them become fluent in English and master other important content curricula. Inside every TBE program is an ESL program and full and speedy proficiency in the English language is one of the two prime goals of these programs. The goal of TBE programs is to learn English and not to fall behind. These programs are important because they address the full educational needs of children. This approach is designed to reduce the disproportionately high drop-out rate of limited English proficient (LEP) students, improve their self-image and attitude toward school, and reduce absenteeism. The availability of bilingual teachers and staff has allowed these programs to concentrate on better involving non-English speaking parents in the schools. In many schools, prior to bilingual programs and bilingual staff, school notices were sent in an incomprehensible language. Language barriers prevented effective parent-teacher conferences, and membership in the PTA and other school support groups was virtually impossible. Even in the case of a child's illness, communication between home and school was often impossible. These parents were effectively cut off from their children's education.

The current drive to amend Title VII is based on policy recommendations contained in an unofficial literature review of bilingual education conducted by an office within the U.S. Department of Education. This review, commonly referred to as the Baker-DeKanter report, bases its policy recommendations on 28 out of more than 300 evaluations and studies of bilingual education. This report has been criticized by many for its methodological flaws and in fact, Secretary of Education Terrel Bell refused to sign the report, saying that he considered it to still be a draft document, to be used only for internal discussion. Secretary Bell went so far as to write a letter to Senator Huddleston clarifying the unoffical, draft nature of the report and stating that the Senator had incorrectly interpreted the conclusions. One of the difficulties in the review is its attempt to compare all transitional bilingual education programs as if they were identical. Since these programs are designed by local districts, there is tremendous variety among bilingual programs funded by Title VII. Comparing such diverse programs is akin to comparing apples and oranges. The report also makes a strong case for the need to experiment with immersion programs based solely on four studies, two in Canada and two in the U.S. Some of the studies which Baker and DeKanter classify as immersion are actually bilingual approaches since they utilize instruction in two languages. Secondly, these programs were designed to teach a second language to fluent English speaking children with parents of average educational attainment and middle class status. This is certainly not analogous to our task of providing an adequate education to poor, minority children whose parents most frequently have an extremely low level of formal schooling. The American Psychological Association, in its evaluation of the report concluded that in debates about the effectiveness of bilingual education, "the study can be ignored -- because it is irrelevant." APA also concluded that "the scientific quality of the report is questionable." This conclusion was matched in evluations conducted by researchers at California State University, Sacramento and the National College of Education. Internal critiques from the Office for Civil Rights and the National Institute of Education concur with these criticisms. Clearly policy recommendations based on such a report are inappropriate. The findings in the Baker-DeKanter report also run counter to what we have found to be true in Michigan.

There are an estimated 3.6 million limited English proficient children in the United States in need of special language instruction. Projection studies to the year 2000 indicate that this number will increase substantially. Although Title VII was created to help local districts develop their own bilingual programs the money has never been adequate to meet the local demand for funding. Throughout its history, Title VII has only been able to fund about half of the districts that have applied for assistance. During school year 1981-82, Title VII only awarded 550 grants serving 295,000 children. Funding cuts for FY 1982 will reduce the number of grants to 435, serving approximately 213,000 students. The 1983 proposed level would further decimate this relatively small program. It will have been cut from $161.4 million in FY 1981 to $94.5 million in FY 1983, of which about $63 million would be available for grants to local school districts. This represents a 41% reduction in money available to states and local districts for bilingual education. If Title VII is amended to allow non-bilingual programs to co~~mpete for~~ bilingual funds, this would be yet another cut in funding ~~for~~ bilingual education. For example, if each of the three proposed approaches were equally funded, the money available for bilingual education could be as low as $20 million. This would represent an 81% reduction in funding from 1981.

Clearly if additional monies were to be made available for funding ESL-only and immersion programs, these should be supported within the education community and elsewhere. However, if ESL-only and immersion programs are to be funded out of Title VII monies, a set-aside of perhaps 5% to meet special needs where bilingual education may not be practical should be included in the legislation. One such case would be where the number of LEP students is too small, or when there is a wide variety of languages spoken within a school or district. Special consideration may also be needed for districts with a sudden influx of refugees. In those cases, bilingual education may be impractical due to lack of qualified bilingual staff. While the law should have enough flexibility to serve districts with these special circumstances, the majority of districts with LEP students do not fit into these categories. For those districts and students transitional bilingual education is undoubtedly the most comprehensive and satisfactory approach. Without such safeguards as an add-on or set-aside, districts and states will be caught between rising needs and drastically reduced resources.

Much of the anxiety with Title VII is misdirected. It's left over from the fight in 1980 over the proposed and withdrawn Lau Regulations. These regulations stemmed from a case regarding the civil rights of language minority children. Title VII of the Elementary and Secondary Education Act (ESEA), of 1965 is separate and distinct from Title VI of the Civil Rights Act of 1964, under which the "Lau Regulations" arose. Civil rights concerns are administered by the Office for Civil Rights in the Department of Education. Title VII is administered by the Office of Bilingual Education and Minority Languages Affairs (OBEMLA). It is a funding source for districts choosing to implement programs of bilingual education. Title VII does not force any district to use bilingual education, it simply assists those who have chosen this as the most appropriate method for their students. Title VII bilingual programs are designed by local districts and states and there is tremendous variety in the types of transitional bilingual programs funded. The flexibility in the Title VII legislation allows districts to design bilingual programs which reflect their specific needs and capabilities. Although some concerns in the current Title VII debate have been phrased in terms of the Lau Regulations, Title VII is not a Lau issue.

Thirty states, including Michigan, have laws mandating Transitional Bilingual Education within certain criteria. These states have decided which educational approach is best for their students, and provide assistance for local districts in implementing that approach. If Title VII ceases to be a federal bilingual education program, this could have serious implications for all states with bilingual laws. It may be perceived as a federal retreat from bilingual education and may signal opponents of bilingual education that this is the time to re-open the debate in the state legislatures. This battle has been fought and won and is now behind us. With all of the serious challenges facing public education today, our efforts must be concentrated on excellence in education and preserving our successful programs.

Title VII has emerged as the leading contender for cracking the united front of the education community at a time when such cohesion is needed more than ever before. Furthermore, the proposed changes in Title VII would shift the program's emphasis toward simply assisting disadvantaged children. This would make Title VII a candidate for a new block grant with Chapter 1. Our experience with the Chapter 2 block grant has already shown blocking to be a guise for reduced funding. When opening the block grant door, we must be careful indeed.

In a year of retrenchment in education, the entire education community must stand united. Title VII is a successful program that fulfills a specific national need -- teaching English to and educating our nation's limited English proficient children. The present program deserves our continued support.

Testimony of Senator Gary Hart and Colorado State Senator
Paul Sandoval
Before the Senate Subcommittee on Education, Arts and Humanities
Committee on Labor and Human Resources
April 23, 1982

Mr. President and Members of the Subcommittee, I would like to take this opportunity to urge Congress to retain the current language of Title VII of the Elementary and Secondary Education Act and to oppose proposed legislative and policy changes that would seriously undermine the law and harm hundreds of thousands of children with limited English proficiency currently in our public schools.

When Congress enacted Title VII, it was because evidence clearly showed that standard instruction by regular classroom teachers left students with limited proficiency in English so ill-prepared that the consequences to their education and work futures were devastating. They failed to learn basic language, reading and math skills. Without these, they slipped further and further behind their classmates in all other subjects each year they were in school. Frustrated and unable to understand schoolwork, they were retained in grades at up to five times the rate of white children in some districts and dropped out in alarmingly high rates at great cost to local school systems. In some Colorado school districts the dropout rate among Hispanics was higher than 60 percent. Chicano students were three times as likely to be suspended as white children and three-and-a-half times more likely to be labelled and placed in classes for the mentally retarded.

By not paying special attention to their particular educational needs, schools were losing children with limited English proficiency, and communities and their economies were losing these children's talents and contributions as a result. Recognizing the rights these children had to a decent public education, as well as our nation's economic and political self-interests in having them be literate and productive members of society, Congress enacted Title VII to assist local school districts in designing programs and hiring and training personnel qualified to communicate effectively with these children.

The task was not simple. There were too few bilingual teachers trained and available. There were too few bilingual counselors; few reliable diagnostic tests in languages other than English to measure students' capabilities and needs; few curricula or materials teachers could use in bilingual classrooms.

In addition to these shortcomings, in some districts bilingual education programs had to overcome stiff opposition from forces in the community and school systems who had at worst actively discriminated against children of limited English speaking abilities, and at best ignored their needs. To be heard speaking Spanish in the school yard was a suspendable offense in some places in my home state of Colorado as recently as five years ago. A pre-first grade class to provide "intensive bilingual instruction" was held in a dark area under a stairwell with 30 five-year-old Chicano children kept separate from everyone else with a teacher who spoke only English and who slapped on the hand any child speaking Spanish. The 1974 Supreme Court ruling in Lau v. Nichols, like Title VII, was the result of massive and undeniable evidence showing discrimination and its harmful effects for children with limited English speaking abilities.

Now there are three efforts to undermine Title VII and the services it enables school districts to provide: one is budgetary and two are legislative. The rescissions of $11.5 million from the FY82 budget, plus the recommended FY83 reductions of $44 million, mean 13,000 fewer children will receive any bilingual services, or 125,000 out of some 3.6 million children deemed in need of bilingual educational services.

These fiscal cutbacks are harmful enough to those children who will be left to flounder uncomprehendingly in classrooms whose medium of instruction they do not understand. But now the Administration is using the excuse of tight money to justify legislative changes in Title VII that would seriously jeopardize even more children.

Let me address the major changes proposed and the harms that would result.

The Administration's proposed changes are included in the "Bilingual Education Improvements Act of 1982." The first major change is to redefine what is an acceptable bilingual education program to be funded by Title VII so as not to exclude "any particular method or approach for providing education to children of limited English proficiency." The Administration has offered the change so the Department of Education can fund "whatever educational approach a school district believes warranted." While local flexibility and discretion in education are commendable, this overly broad definition does not give any guidance to local school districts to help them serve these children. It does not allow the Department to have Federal funds used effectively for meeting these children's needs, nor does it provide a framework, carrot or stick for school districts who have refused to help these children in the past. The darkened classroom under the stairwell I described earlier could qualify for Federal Title VII funds under the Administration's proposed change. To degrade and harm children in that manner is serious; but to use Federal funds to do so would be more than irresponsible.

The research on bilingual education shows that not "any" approach works. When some evaluations found few benefits of bilingual programs across the country, they were averaging the effects of many bilingual programs which operated for only 20 minutes a day, others where students were pulled out of classes for an hour drill in English and then returned to regular classrooms, or programs where 48 percent of the educators had no knowledge at all of the child's language. With these inadequacies in some approaches, it is not surprising that overall statistics showed no strong support for bilingual program effectiveness. But to draw the conclusion that since the research did not confirm the best approach, then any approach is as good as any other, is a serious gap in logic. We know from experience many school districts will not help children with limited English speaking abilities without Federal monitoring. We should not be rewarding their recalcitrance to provide appropriate instruction for these students by allowing "any" program to qualify for Title VII funds.

The second proposed change would eliminate the requirement that Title VII-funded programs use educators who are proficient in the language of instruction (that of the child) and in English, and substitute the vague requirement to employ those proficient in English, and "to the extent possible, in any other language used to provide instruction."

If students cannot understand English well (and hence are eligible for this program to begin with), and if there is no requirement to have personnel available who can communicate with them, where will the effective instruction come from? Who will bridge the gap of ignorance and confusion? Who will translate and make the mystery of a lesson into a part of the child's education? We already have too few bilingual educators in the United States to teach our children. By weakening this requirement in Title VII, we eliminate an incentive for this professional development, perpetuate our lack of bilingual educational human resources and build failure into "bilingual" programs if no one in them is bilingual.

The third change proposed would limit the target population for Title VII eligibility to those children with limited English proficiency whose "usual language is not English." Aside from being another example of vague language which would be an administrative nightmare to monitor, the standard of "usual" is educationally irrelevant and, if used, could actually harm thousands of children. In an interview, a Title VII director in a school district in my state reinforced from her personal experience what several research studies have shown: "Many students come in speaking English. But it is conversational English. It may sound fine and be good enough to play in or talk in, but it is misleading. It is usually not strong enough to be the medium of instruction."

This is true of many Chicano children, whose parents were born here, who speak English at home sometimes, who listen to television and radio and pick up enough informal English so an observer might very well conclude English is their "usual" language.

However, when these children are asked to do more advanced schoolwork where their reliance on written English is more important, they begin to fail. Each year in school they do worse and worse than their classmates. Their teachers report it is their poor preparation in early grade school for understanding English reading and language skills well enough to use them (to learn math or geography or chemistry) that underlies their academic problems.

This proposed change, thus, would eliminate from Title VII eligibility and targeting the majority of Chicano and other Hispanic school children who are not new immigrants and who may be heard speaking English, but who still desperately need bilingual instruction to succeed academically.

The fourth proposed change would move the administration of bilingual vocational training activities for adults and youths out of school from vocational programs to Title VII of ESEA. While such a change may be sound, these are currently programs with separate functions, goals and target populations and there is no evidence to show Title VII staff are prepared for or able to take on this additional responsibility. Before such a move is made, we should know why it makes sense, how programs would be improved by it, and the steps proposed to aid in the integration and administration of these two different functions.

A fifth change proposed in the Administration's bill authorizes funds for research on alternative methods to bilingual education for teaching children with limited English proficiency. In view of the shrinking funds being recommended to provide badly needed services to children, targeting funds for research seems to be a misguided priority. Further, the Department to my knowledge has not made maximum use of the research it already has supported in this area. Many districts and states have evaluations of Title VII programs and of students' progress that could guide policy and inform practice on bilingual education. Building on what we have learned seems to be more prudent in scarce economic times.

Let me turn for a moment to S. 2002 or the "Bilingual Education Amendments of 1981," which proposes to limit participation in bilingual educational programs to one year, with an additional year's participation allowed only after extensive testing and evidence of need presented, and a requirement that an intensive course in English be part of any bilingual program.

One year is simply too short a time for many children to master English well enough to succeed in all school subjects. The courses in intensive English are not developed or widely available. Teachers are not trained to administer them even if they did exist. The results of S. 2002 if it were enacted would be to penalize children -- already at an educational disadvantage due to their difficulty with English -- by discontinuing their participation in bilingual programs prematurely, leaving them without effective alternative courses of instruction and requiring time-consuming and costly tests and diagnoses before appropriate educational services can be continued.

There are too many children in this country who need bilingual education to take these proposed threats to Title VII lightly. Hispanics alone by 1990 will be the single largest minority group in this country, and more than half of them will be under 20 years old. The failure of public schools to meet their needs is staggering:

- A 1980 study found that 17.8 percent of Hispanics age 25 or older had fewer than five years of schooling compared to 3 percent of their Anglo counterparts.

- One-third of all school-age Hispanics were two years or more below their expected grade level compared to 14 percent of Anglo school children.

- More than six times as many Hispanics as Anglos -- 17.5 percent and 2.5 percent, respectively -- were functionally illiterate in 1979.

- Between 1970 and 1979, the gap between Hispanics and Anglos completing high school had widened. In 1970 Hispanics trailed Anglos in graduation rates by 22.9 percent, in 1979, Hispanics trailed by 27.7 percent.

- Achievement levels in reading and math for Chicanos fall farther behind either Anglos or the national norm for every grade a child stays in school.

Hispanic children's numbers are too large and their educational needs are too great to continue to be ignored. Failure to help schools meet their needs will mean economic and social problems for this nation. Helping them produce to their potential may help turn America's flagging productivity trends around in the coming decades.

Opponents of bilingual education have fanned the fears of the public and policymakers by implying that Title VII programs will prevent children of limited English proficiency from learning English and from assimilating into American society.

But we should remember the goals Congress understood when it enacted Title VII. We want children to learn English, and we need to provide instruction in the language they understand so they will learn English. We also want children to stay in school, attend regularly, not drop out, and learn other academic subjects so they can graduate, go on to college or get good jobs. Until they do know English well enough, we should be providing instruction in other areas in a language they understand so they will succeed in school. In my home state of Colorado in districts where bilingual education programs of good quality have been operating and where bilingual personnel are in classrooms in greater numbers, dropout rates, absenteeism, suspensions and retentions have dropped for Chicano children and achievement levels for 67 percent of those in the bilingual programs showed significant improvements. If we can sustain the gains we have made, perhaps some of these children will become the scientists, computer experts, leaders and citizens we will need in the future.

Learning English and staying and succeeding in school are two important goals of Title VII programs as they are currently construed. I therefore urge my colleagues in the Senate to maintain the guidance and programs leading to those goals which Title VII has supported, and to oppose the legislative proposals that would substantially weaken Title VII's services to children.

STATEMENT OF THE

NATIONAL EDUCATION ASSOCIATION

Mr. Chairman and Members of the Committee, I am Willard McGuire, President of the National Education Association (NEA).

The purpose of the NEA, which represents 1.7 million teachers and educational support personnel, is "to elevate the character and advance the interests of the teaching profession and promote the cause of education in the United States." Consequently, our members are directly involved with the education of limited English proficient children. We are concerned that comprehensive and effective educational opportunities be provided to every linguistic minority child. And we believe that one of the most effective vehicles to assure quality education for limited English proficient children is bilingual education.

We have been involved in and supported the bilingual approach to education for nearly two decades. Through the efforts of the NEA and numerous community groups the Tucson Survey (1966) was conducted on the needs of bilingual children. The results of the survey were published by the NEA under the title "The Invisible Minority--Pero No Vencibles (But, Not Vincible)." That report became the foundation for many subsequent state and federal laws and court actions relating to the education of non- or limited English proficient children.

Today, we come before you in opposition to S. 2002, proposed amendments to the Bilingual Education Act, and with specific proposals for the improvement of the Act.

As summarized by its authors, S. 2002 is intended "to assure that an intensive course of English instruction is an integral part of the bilingual education program and that participation in the bilingual education program will in most cases be limited to one year, and for other purposes." The "other purposes" include significant modifications in the criteria used to identify children in need of assistance.

The NEA opposes the bill for the following reasons:

First, the bill proposes that an intensive course of English instruction be integrated into the current provisions of the Act. We call your attention to the wording of the Act as presently written: "(i) there is instruction given in, and study of, English..." The Act clearly provides for the study of English. Further, this provision has been diligently observed. A G.A.O. report (1976) entitled "Bilingual Education: An Unmet Need" noted the relative use of English in bilingual classrooms. It noted that too many English speaking children were being placed in bilingual classes and, more significantly, that in bilingual programs the children's primary language was not being used enough in favor of English. More specifically, our teachers are well aware not only of the letter but the intent of Title VII regulations; development of skills in English has been our primary objective. As stipulated by the provision of the current Act, the child's primary language is used "...to the extent necessary to allow a child to achieve competence in the English language." If S. 2002 is adopted, its additional requirement for the use of English will surely curtail our ability to direct our instruction both to individual and group needs. We would remind you that this added federal prescription is not in the spirit of the Reagan Administration's desire to promote local responsibility and discretion.

Where circumstances require an increased use of English in instruction, Title I funds can be used.

Second, the bill proposes that participation in bilingual programs be limited to one year. Research, experience and common sense all point to the irrationality of such a provision.

Children learn in different ways and at different rates. The learning of language is a complicated process requiring that teachers use a multiplicity of approaches. Specifying time limitations for any educational experience as complex as language is not only poor pedagogy, it runs counter to all that we know about lesson sequencing, pacing, and student assessment. Teachers and others who know how the child is progressing are best qualified to determine when a child will exit from a program. The NEA cannot support arbitrary restrictions of professional discretion.

We point out that studies consistently show that bilingual instruction has a "cumulative effect," it takes a number of years to realize the full benefit of a bilingual programs, but such students will eventually surpass their limited English speaking counterparts in English-only classes in the development of English language skills.

Third, the bill radically alters the methods to be used for identifying children to be served by bilingual education by eliminating proficiency criteria for the reading and writing of English. It is proposed that only listening and speaking skills be used. If adopted, these amendments will represent a giant step backward in the education of linguistic minority children. It is not enough to evaluate speaking and listening skills in English to determine proficiency in the language. Experience has taught us that communication and learning occur through different means and at different levels. As children get older and instructional objectives become more complicated and abstract, learning depends increasingly on reading skills. Educators know that apparent verbal facility with a language is not prima facie evidence of a child's ability to communicate and to learn. Accurate diagnosis of children's needs is the result of evaluation of a multiplicity of factors which include, among others, reading and writing skills. Comprehensive assessment is based on sound educational research and educational practices proven effective over many years.

There are approximately 3.5 million students whose primary language is not English or who have limited English proficiency. All indications are that this number will increase. If schools are not assisted in helping these students to function successfully in the dominant society, then these numbers will have a drastic impact on the social and economic structures of this country. Bilingual education has been proven an effective strategy in helping limited or non-English proficient students. As a nation we need to move forward in making bilingual education an even more effective strategy.

We reassert that as the nation's largest organization of teachers, the National Education Association is in a unique position to evaluate the efficacy of bilingual education. Our members must deal on a daily basis with the educational problems which confront students with limited English proficiency. Teachers experience first hand the effect of bilingual education programs in the classroom. From that experience, we know that quality bilingual programs work. That bilingual education works despite continued efforts to undermine and discredit it, is further testimony to the soundness of this approach.

The Title VII legislation was enacted to explore further on a large scale the effectiveness and feasibility of bilingual education. Beyond dealing with immediate and urgent needs in many of our schools, the intent of the legislation was to examine appropriate ways for implementing this approach.

Bilingual education was not conceived on the spur of the moment. It evolved as an effective educational approach to solving a serious problem and was in fact in wide use in many parts of this country in the last century. It is currently in use in many parts of the world (notabily Switzerland, Belgium, South Africa, Finland, Canada, and Andorra).

We have learned enough in the past fifteen years to be able to support bilingual education unequivocally as an effective and viable educational strategy.

We propose that present bilingual programs should incorporate four essential elements.

1. Language arts and comprehensive reading programs which are introduced and taught in the child's language;

2. Curriculum content areas which are taught in a language which the child fully comprehends;

3. English as a seond language, which is taught through a sequentially structured program which includes understanding, speaking, reading and writing skills.

4. Evidence that the child's native culture is respected in all aspects of the cirriculum.

Further, we urge that the provisions of the Act include the following:

1. Greater research emphasis on efforts to refine the bilingual education approach. Language mix and the bilingual methodology appropriate for varying circumstances must be systematized. Also, further research is needed on the correlation between language proficiency and academic performance. Unless this relationship is further clarified, criteria for exiting students from bilingual programs will be based on little more than political or financial expediency.

2. Because we recognize the economic and political costs to this nation as the result of its deficiencies in languages and international studies, we urge that the Act seek to establish closer links with instruction in the foreign languages.

3. We know that bilingual education is successful when the programs are properly administered and adequately staffed. We therefore urge increased emphasis on building the capacity of local school districts to serve present and future student needs. Comprehensive and well-planned programs to assist teachers and administrators to work effectively in bilingual education must receive continued and significant support.

In conclusion, we again state our unequivocal support for bilingual education. We urge this Committee to seek to improve the act by building upon experience. Teachers must be allowed the flexibility to assess properly student needs. At the very least, student identification should include assessment of reading, writing, comprehension and speaking skills in English. Teachers must also be allowed to exercise their professional judgement as to when a child is ready to participate in monolingual English classrooms. Finally we reemphasize that prescribing content by requiring even more English instruction in the bilingual classroom runs counter to sound educational practice. Such practice ignores what is clearly written in existing legislation and research findings. Bilingual education is most effective when there is a balanced use between the native language and English.

The NEA urges that efforts to amend the Bilingual Education Act focus not on weakening its strengths but on refining research, increasing enrichment capabilities and improving the capacity of educators to deliver services--thus strengthening its ability to serve present and future student needs.

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NEA LEGISLATIVE PROGRAM

THIRD TIER: NEA CONTINUING LEGISLATIVE CONCERNS

IV. Provision of High Quality Public Education for All

A. Bilingual and ESL education. Bilingual and English-as-second-language (ESL) programs are unique and necessary programs designed to achieve functional proficiency in English which should be funded sufficiently to be available to all students not proficient in English. The educational program should reflect the cultural diversity and heritage of the children within the district including Chicano and Spanish-speaking children, Asian and Pacific American children, native Hawaiian children, and American Indian/Alaska Native children.

EXECUTIVE OFFICE

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May 5, 1982

Ms. Meg Greenfield, Editor
The Washington Post Letters to the Editor
The Washington Post
1150 15th Street, N.W.
Washington, D.C. 20036

Dear Ms. Greenfield:

The Washington Post, in stating that the Reagan administration is "moving in the right direction on the highly inflammatory subject of bilingual education" ("Which Language in the Classroom?" April 29, 1982), displays profound insensitivity to the educational needs of millions of non- or limited-English speaking children.

The Lau Remedies, referred to as "misguided rules" by the Post, relate solely to civil rights violations and not to bilingual education. They have for seven years served school systems effectively in complying with the 1974 Supreme Court ruling that it is a violation of the 1964 Civil Rights Act to deny non-English speaking children instruction in English. By dropping the remedies, the federal government takes another giant step backward in education, which is not surprising given its record under the Reagan administration. By applauding the action, the Post does a great disservice to civil rights, to the nation, and to itself.

The Post also states that the Lau Remedies tell local school districts that they have to provide "instruction in the child's first language." In fact, the Remedies have not called for instruction in a child's first language except when the use of English solely is educationally counterproductive and until such time as a child learns enough English to compete with his or her peers in a regular classroom.

In place of the Lau Remedies, the government has reverted to a vague 1970 HEW memorandum for its sole source of guidance in this complex area -- schools shall "attend to the needs of limited-English speaking students." In so doing, the Department of Education is inviting a level of community chaos and anguish that will make us long for the return of such trifling and uncontroversial topics as sex education, book censorship, and creationism. The litigation that inevitably will be based upon this weak and ambiguous replacement for the Lau Remedies will be awesome to behold!

At another point the Post states that the federal rules of the 1970s were ormed "under heavy pressure from Hispanic political and cultural organizations." his statement completely ignores not only the landmark 1974 Supreme Court decision, which happened to involve 1800 Chinese-speaking children in San Francisco who were denied English instruction, but also the nation's evolving social policy calling for equitable educational treatment for America's non-English speaking children. (Did Social Security come about only because of pressure from the poor and the aged?) Does the Post harbor some resentment toward Hispanic political activisim? Surely the Post is aware that bilingual education programs in over 70 languages are currently being provided across the country. Instruction in two languages, moreover, is not a new phenomenon in the United States; it dates back to the late nineteenth century when over a million non-English speaking children were being given instruction in French, German, Swedish, Spanish, and other native tongues.

The Post goes on to state that bilingual education, in most cases, does not work well. In fact, it does, and here the Post has always missed the mark. There are nearly a thousand programs across the country, and, as is true with all huge national efforts, one can always point to one or two less successful programs to make a negative case. (Again, remember Social Security.) Teaching non- or limited-English speaking children English, while providing subject matter instruction in their native tongue until they achieve sufficient proficiency to benefit from regular instruction, has been the most educationally sound approach, and it has proven successful time and time again. Educators know this and constantly seek ways to improve services to their non-English speaking children. Because of a lack of funds the Department of Education has to turn down more than 40 per cent of the requests for bilingual education assistance it receives from school districts. Less than a year ago the nation's governors and chief state school officers were asked by the Education Commission of the States their opinions about bilingual education. Eighty-five per cent expressed strong support not only for the concept but for the practice.

Rather than employing the simplistic and ineffective approach of throwing the baby out with the bath, why doesn't the Post promote efforts to improve bilingual education? Ignoring or underestimating the legitimate educational needs of millions of limited-English speaking children and youth will not make their problems disappear -- it will simply contribute in a major way to crowding not only the nation's welfare rolls but the ranks of the unskilled, illiterate, and disillusioned as well.

Sincerely yours,

Willard H. McGuire

Willard H. McGuire
President

WHM:jas

cde
COLORADO DEPARTMENT OF EDUCATION
State Office Building, 201 E. Colfax
Denver, Colorado 80203
Telephone (303) 866-2212
Calvin M. Frazier, Commissioner

May 13, 1982

Bruce Post, Staff
Senate Labor and Human Resources
Subcommittee on Education
Room 309-D
Senate Courts Bldg.
Washington, D.C. 20510

Dear Bruce:

We wish to express our appreciation on your willingness to include information from Colorado in your final report regarding the administration's bilingual bill S2412. Enclosed is Commissioner Frazier's report to the Colorado General Assembly regarding the effectiveness of the English Language Proficiency Act in its first year of operation.

You will note specifically that we have increased the number of participating districts by 26, number of students participating by 1,000 and number of different languages served by 22.

The major reports have been very positive from the local schools. If you need further information do not hesitate to contact me.

Thanks again for the opportunity of including this report since I am sure many erroneous statements have been made regarding Colorado's new law which considerably broadened the original bilingual statute.

Sincerely,

Arvin

Arvin C. Blome, Executive Assistant
Federal Relations
Colorado Department of Education
(303) 866-5344

ACB:lmj

enclosure

Report to the General Assembly

The Effectiveness of
The English Language Proficiency Act
(C.R.S. 1973 22-24-101 et.seq. (Supp. 1981))

On November 13, 1981, the Colorado State Board of Education allocated $2.8 million to 107 school districts eligible for funding in accordance with the new English Language Proficiency Act enacted by the 1981 legislature. An initial payment of $2.5 million (90%) was approved by the State Board, with the remainder to be awarded upon receipt and verification of the districts' annual evaluation reports by the Department of Education.

The purpose of the Act is to require the establishment of and to help school districts defray the costs of an English language proficiency program in the public schools for children whose dominant language is not English.

School districts are charged with the identification of students eligible for the program. A state summary of numbers of students identified as eligible and now being served is attached. Children are eligible under the A/B category if their dominant language is not English. These students either speak or comprehend little or no English. Children are eligible under the C category if their dominant language is difficult to determine. These students speak both English and another language. Their achievement scores are below the district or national mean of a nationally standardized test or below the acceptable proficiency level on an English language proficiency test.

In comparison to the previous Bilingual (1980-81) and Tutorial (1980-81) programs, the English Language Proficiency Act program appears to be reaching a broader base of students, providing more funds ($2.8 million vs. $1.8 million for the combined Bilingual and Tutorial programs) to more districts (107 vs. 81) for more students (11,016 vs. 10,079) who are from more language groups (66 vs. 43). Additionally, the funds allocated concentrate more on students who are dominant in a language other than English.

It is hoped that the evaluation results will reflect positive data in relation to programs provided in accordance with the intent of the Act.

Revised 11/30/81

ENGLISH LANGUAGE PROFICIENCY ACT

State Summary

I. Number of Eligible School Districts 107

II. Congressional District Summary:

	# of School Districts	Eligible A/B	Students C	Total Allocation
District 1	1	2429	893	$ 990,137.
District 2	3	842	590	381,086.
District 3	48	644	1811	475,037.
District 4	36	1035	1185	530,505.
District 5	19	907	680	416,506.
TOTAL	107	5857	5159	$2,793,271.

III. Number of Schools with Eligible ELPA Children:

A. Elementary	514
B. Junior HIgh	162
C. High School	121
TOTAL	797

IV. Number of Children Eligible:

	Grade Level		
	K-6	7-12	Total
A. A/B Category	3872	1985	5857
B. C Category	3228	1931	5159
TOTAL	7100	3916	11,016

V. Allocation of Funds:

	Available	Allocation/Student
A. A/B Category	$2.1 million	$358 /student
B. C Category	.7 million	$135 /student
TOTAL	$2.8 million	

VI. Language Spoken by Eligible Children:

A. Languages Spoken 66 (See attached list)

VII. Method of Assessment: District Usage

	% of Districts
A. Standardized Test	48
B. English Language Proficiency Test	11
C. Both	20
D. No Testing Required	28
TOTAL	107

ENGLISH LANGUAGE PROFICIENCY PROGRAM

LANGUAGES SPOKEN

LANGUAGE	STUDENT CATEGORY A/B K-6	STUDENT CATEGORY A/B 7-12	STUDENT CATEGORY C K-6	STUDENT CATEGORY C 7-12	TOTAL
1. SPANISH	2289	645	2703	1519	7156
2. VIETNAMESE	407	463	114	113	1097
3. H'MONG	326	214	57	36	633
4. LAOTIAN	197	165	27	19	408
5. KOREAN	98	97	64	55	314
6. CHINESE	95	104	41	22	262
7. KHMER	142	97	15	2	256
8. ARABIC	78	23	40	17	158
9. GERMAN	17	14	21	22	74
10. JAPANESE	40	21	7	3	71
11. THAI	14	31	3	10	58
12. FARSI	13	22	4	15	54
13. RUSSIAN	12	10	13	8	43
14. FRENCH	16	9	8	9	42
15. ITALIAN	2	6	16	14	38
16. HEBREW	11	8	7	5	31
17. TAGALOG	11	4	2	13	30
18. NAVAJO	10	4	11	2	27
19. GREEK	7	4	7	7	25
20. HINDI	8	-	9	4	21
21. POLISH	8	7	3	-	18
22. CZECHOSLOVAKIAN	6	2	8	1	17
23. PORTUGUESE	6	4	3	3	16
24. TURKISH	5	1	6	2	14
25. URDU	7	2	3	1	13
26. DUTCH	3	-	8	2	13
27. HUNGARIAN	2	2	4	4	12
28. KICKAPOO	11	-	-	1	12
29. INDONESIAN	3	4	2	2	11
30. FINNISH	4	3	1	2	10
31. NORWEGIAN	-	6	-	3	9
32. SWEDISH	3	1	3	1	8
33. UTE	-	-	6	-	6
34. NIGERIAN	4	1	-	-	5
35. CROATIAN	3	1	-	1	5
36. AFGHANI	3	0	-	1	4
37. GUJARATI	2	-	-	2	4
38. AMERICAN INDIAN	-	-	2	1	3
39. DANISH	-	2	-	1	3
40. GA	1	-	2	-	3
41. KWA (Ibo)	2	-	-	-	2
42. MALAYAN	-	1	1	-	2
43. SANGO	2	-	-	-	2
44. SAMOAN	-	1	-	1	2

LANGUAGE	STUDENT CATEGORY A/B K-6	STUDENT CATEGORY A/B 7-12	STUDENT CATEGORY C K-6	STUDENT CATEGORY C 7-12	TOTAL
47. AMHARIC	-	-	-	1	1
48. ARMENIAN	-	-	1	-	1
49. ASRIAN	1	-	-	-	1
50. DARI	-	1	-	-	1
51. DRI	-	1	-	-	1
52. ETHIOPIAN	1	-	-	-	1
53. EURASIAN	-	-	1	-	1
54. GREENLANDIC	-	1	-	-	1
55. ICELANDIC	-	1	-	-	1
56. JAMAICAN	1	-	-	-	1
57. MALTESE	1	-	-	-	1
58. PASHTO	1	-	-	-	1
59. PUNJABI	-	-	-	1	1
60. ROMANIAN	-	1	-	-	1
61. TIGRINIA	-	-	-	1	1
62. TWI	1	-	-	-	1
63. UKRANIAN	-	-	-	1	1
64. URAL ALTAIC	1	-	-	-	1
65. YUGOSLAVIAN	-	-	-	1	1
66. YIDDISH	-	1	-	-	1
TOTALS	3,875	1,985	3,225	1,931	11,016

Remarks of:

FRANK J. MACCHIAROLA

Chancellor, New York City Public Schools
submitted for the hearing record,
Senate Subcommittee on Education, Arts and Humanities
Dirksen Senate Office Building, Washington, D.C.
April 26, 1982; 10:00 a.m..

AMENDMENTS TO THE BILINGUAL EDUCATION ACT

Senator Stafford and members of the committee.

As you know the New York City public school system has made a heavy commitment to educational programs for students from homes where English is only a second language. Over 66,000 students were enrolled in some 1,180 individual bilingual programs during the Fall semester. These programs represent 23 different language groups. Spanish, of course, is the single largest such group with over 79% of our non-english dominant students participating in various Spanish programs. But we have also made strong commitments in Chinese, Italian, Haitian/French and Russian among others. In fact, the ethnic diversity of New York City is so great that the public school system also administers smaller programs in languages ranging from Finnish, Iranian and Turkisk to Khmer, Tagalog and Urdu.

Our experience with these programs — a long one -- has left certain impressions at least as they relate to New York's schools. Possibly the most important is that bilingual and ESL (English as a Second Langauge) are important to the educational development of children. A status report on ten of our schools offering bilingual education programs, for example, indicated that attendance in these programs was 10% higher than for the particular schools as a whole. Special services geared toward the needs of students enhance their interest in school, and thus their performance in other areas. I am convinced that some special efforts for the child with limited english proficiency must be made and that they must be funded adequately.

Nevertheless, within the context of maintaining the commitment that we in New York have made to the non-English dominant population — and which the federal government has also made — there is room for change. I do not intend today to indicate to you the specifics of exactly where changes should be made. The administration's proposals are fresh on our desks and their implications are far reaching. But our experience in New York does provide at least two programmatic touchstones against which I think you should judge amendments to the present legislation.

First, any bilingual or ESL program must be seen as transitional. Teaching should be organized so that youngsters eventually achieve literacy in English. In whatever form programs for the non-English proficient student are structured, they must not be an end in themselves. Yes, the maintenance of cultural identity is important — I am quite proud of my Italo-American heritage — but the point of these programs is to hasten the day when the child will be able to thrive in our English dominant society. All bilingual and ESL programs should be adapted to that goal. Whichever of these two overall strategies are more effective in achieving success — and I have come to believe the English as a second language approach is the better of the two — they must not become a crutch upon which the child comes to rely. The poor reputation that some bilingual and ESL programs suffer from is the result of just such program failure.

Secondly, any new legislation must recognize that the road to English competency is a diverse one. We could not run 23 different language programs in New York all the same. They differ in the number of students enrolled, the availability of teachers competent in both the individual languages and in an instructional field, the level of proficiency of the students on average and, often, in the linguistic characteristics of the different groups themselves. Each of these factors conditions the dimensions of the programs we offer, and it is rare that any two are really the same. In New York language diversity is something we live with all the time, something from which we try to tease out the single goal of english competency.

Thus, as you consider new legislation you should know that mandates and regulations currently written in Washington, and focused for the most part — and quite rightly — on the Hispanic community, may sometimes seem excessively constraining on the front lines or even wasteful. This is part of the problem we have with current federal mandates and some requirements of the courts. As in special education, the Congress and the courts have intervened on behalf of students with special needs. In some respects this is beneficial: financial constraints, lack of political support and occasional outright hostility toward language minorities sometimes put the needs of these students low on a community's priority list. Outside intervention is thus required.

Unfortunatley, however, the courts and the Congress often resolve the problem by creating requirements to spend money, not to create effective programs. We don't need a mandate to spend -- that is very easy. But achieving the goal of literacy and basic skills in English is a more difficult problem that requires time, research and experimentation.

The point is not that we should be forced to spend money on children from Hispanic, or Chinese, or Italian families but that they have the right to special services which will bring them into the

American mainstream as soon as possible. Court solutions only solve the problems of litigants. They do not necessarily solve the problems of children.

On both these points the outline of the administration's proposals seems at first glance to be encouraging. By removing the requirement that funds received through the Bilingual Education Act be applied only to programs that have part of their instruction in the native language we will be able to rely more heavily on ESL programs. By removing other requirements we will have greater flexibility in program administration overall.

As Chairman of Mayor Koch's recently appointed inter-agency Task Force for Youth I am also encouraged by the expanded authority the adminsitration is requesting to assist those outside primary and secondary schools who are limited in their English competency and who are seeking vocational education. A well funded program in this area would be a great help in a city like New York that currently has an unemployment rate among our young of 25.2%.

Nevertheless, I must also state a warning. The basic themes of the administration's proposals are to remove programmatic requirements, extend authorization outside the school setting and reduce costs. In the context of the adminstration's budget proposals, and the current fiscal problems of states and cities in the Midwest and Northeast, I have to look at this enterprise with some skepticism. Our estimates are that if Mr. Reagan's initial proposed budget reductions go into effect the New York City public school system will suffer a substantial reduction in federal aid. Complete approval of all the administration's budget proposals will reduce our assistance from a high of $271 million in the 1978-79 school year down to $133 million in 1983-84.

In fact, the administration's overall policy recommendations in education leave me with great concern. Wholesale reductions in compensatory aid, special education, vocational education and other programs will have a real impact in New York City and throughout the country. These proposed long term cuts, along with a reorientation of federally sponsored research away from school effectiveness and toward feasability studies of "voucher" or "chit" systems — and now White House support of tuition tax credits -- all seem to indicate that the administration intends to rely less and less on the common public school as the center of educational policy in the United States, and that the federal government may withdraw from its historic role as an instrument of equity and as advocate for minorities in education.

The administration's proposed amendments to the Bilingual Education Title of the ESEA are in this trend. By expanding the authority of the Act and requesting authorization to appropriate only $95 million for FY 1983 — a cut of $39 million from the continuing resolution of this fiscal year -- I fear a watering down of the program. It is one thing to turn administrative discretion back to the states and localities so they can run programs more effectively. It is quite another to break a commitment made to parents and students of limited English proficiency; to say nothing of lowering the priority of education on the nation's agenda.

It seems that I can only go to Washington these days with ambivalence. The promise of the Reagan administration was that power and discretion would be returned to the States and localities and that program effectiveness, not expenditures, would be the touchstone of public policy. But what seems to be developing is that the administration is willing to transfer responsibilities without transfering money. The reality for us in fiscally hard pressed New York is that while the administration's approach may expand our policy options, it limits our fiscal options. In short, we end up with more power and less money -- on balance, probably a net loss.

We believe that the foundation for progress in public education is a partnership among the federal government, the state government, the city and the community. If any one of these partners reneges, the rest of us must bear the burden. I hope that the federal government will not be the culprit.

THANK YOU.

WILSON RILES
Superintendent of Public Instruction
and Director of Education

STATE OF CALIFORNIA
DEPARTMENT OF EDUCATION
STATE EDUCATION BUILDING, 721 CAPITOL MALL, SACRAMENTO 95814

May 12, 1982

Honorable Robert T. Stafford
Chairman, Subcommittee on Education,
  Arts and Humanities
United States Senate
Washington, D.C. 20510

Dear Chairman:

The California State Board of Education has reviewed the bilingual education legislative proposals which your subcommittee is currently considering. We would like to provide our comments to you in the hopes our concerns will be considered in the actions you take on these bills.

We consider that S 2002 will not provide the necessary components for a successful program no matter the instructional components of the program--bilingual-bicultural, English as a Second Language, or immersion. It is clear from our experience in California that one year is insufficient time to permit the development of adequate proficiency in the English language. In fact, the evidence indicates that even when using immersion as the instructional technique that a two to three year effort is required for non-English proficient children to become sufficiently proficient in English.

Our review of S 2412 causes us concern with regard to two major issues. We believe that state law should be given precedence with regard to the determination as to the proper instructional strategies. In California, we have a state bilingual education law which specifies the range of solutions districts may apply, allows for program variation and permits waivers under special circumstances. We believe any federal legislation should recognize state laws in terms of how Title VII projects grants should operate in such state.

Our second concern is the language in S 2412 which on the face of it would allow any teacher who is only English proficient to teach limited English proficient children. Our state law requires teachers to be properly credentialed to provide instruction to such children with appropriate waiver provisions (to be approved by the State Board) where circumstances do not allow this requirement to be met. We consider this provision essential to allow the proper personnel to assist children in becoming proficient in English in the most expeditious manner. Teachers not trained to communicate with limited English proficient students cannot be as effective as those that are.

Our recommendation is that any revision of Title VII should permit state law precedence in the delivery of services in that state and that properly credentialed instructional personnel be required. In both instances, appropriate waiver provisions should be placed in the law allowing State Board of Education to waiver any requirements which may prevent a local school district from effectively meeting the needs of these children.

Sincerely,

Ann Leavenworth

Ann Leavenworth, President
California State Board of Education

Submitted by:

Guadalupe Hamersma
Chairman, Bilingual Education
Special Interest Group
Teachers of English to Speakers
of Other Languages

TESOL is an international organization of educators dedicated to the teaching of English to speakers of other languages, in the United States and in almost every other country throughout the world. We have a membership of 30,000 to 40,000 professionals who teach English to speakers of other languages in pre-school programs, elementary and secondary schools, colleges and universities, and adult education programs.

We have long recognized the federal government's commitment to educational programs which address the special needs of children. Children who speak little or no English certainly can be said to have special educational needs. There is no doubt that children who cannot speak or understand English cannot effectively participate in an instructional program conducted solely in English. The federal government's efforts, in part through the Bilingual Education Act, have gone a long way toward providing some direction for meeting the instructional needs of non-English proficient and limited English proficient students.

TESOL has historically supported educational programs designed to meet the needs of limited English proficient students, including bilingual education. We recognize the pedagogical soundness and viability of bilingual education programs which focus on the student's total development, capitalize on the proficiency of the student's native language, and simultaneously develop the student's competencies in English.

The recently proposed amendments to the Bilingual Education Act, Senate Bill S. 2002 and Senate Bill S. 2412, have generated much discussion among our membership. We agree with those sections of the proposed amendments which attempt to ensure "that an intensive course of English instruction is an integral part of the bilingual education program," and that the teachers who are funded by Title VII are proficient in English. We recognize that all students need to acquire sufficient English language skills in order to successfully participate in school and in society.

There are, however, other sections of the proposed amendments which are cause for concern:

1. By striking out "while using their native language," Senate Bill S. 2002 removes the use of the student's native language as a component of a bilingual education program. By definition, a program of bilingual education is one which utilizes two languages for the purpose of instruction, English and the student's native language. One major reason programs of bilingual education were initiated in the first place was to attempt to deal with the instructional needs of students who could not understand or speak English and to thereby provide them with equal access to the educational process. If the use of the native language is not required in a program of bilingual education,

then what we have is an instructional program conducted solely in English for students who have difficulty understanding and speaking English. This amendment to the Bilingual Education Act violates the original intent of Congress by redefining bilingual education to mean education in English only.

2. Senate Bill S. 2002 seeks to remove limited proficiency in reading and writing English as criteria for participation in the Title VII bilingual education program. Granted, not all children who have difficulty reading and writing English are necessarily candidates for a bilingual program of instruction. However, this Act is addressing the instructional needs of students whose native language is not English and who have been determined to be limited English proficient. Language, both oral and written, "cuts across every goal and function of the school. Everything that is taught in the school must pass through a communication process before it is learned by the pupil."[1] Reading and writing are very much part of the language process. "A linguistic perspective for reading requires that reading be defined as

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[1] Heilman, Arthur, Principles and Practices of Teaching Reading, Charles Merrill Publishing Company, 1967.

language processing, that the reader be viewed as a user of language, that reading be taught as communication through language and that teachers understand how language operates in the interaction between the reader and the printed page."[2] A limited English proficient student who has difficulty reading and writing English should not be excluded from participation in a bilingual program unless it has been determined that such difficulty is not directly related to the student's limited proficiency in English. To do otherwise would surely deny these students "the opportunity to learn successfully in classrooms where the language of instruction is English."

3. Senate Bill S. 2002 limits a student's participation in the Title VII program to one year. While there are some students, especially in the primary grades, who may well acquire sufficient English language skills in one year, most students probably will not. The acquisition of a language is not an easy or speedy process. One year is not sufficient time to allow most limited English proficient students to acquire the necessary English language skills they need to benefit fully from instruction in English only. We welcome the amendment's provision that

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[2] Hall, Mary Anne & Ramig, Christopher J., Linguistic Foundations for Reading, Charles Merrill Publishing Company, 1967, p. 7.

students who do not acquire sufficient English language skills in one year's time be individually evaluated to determine continued need for bilingual program services. However, we fear that what local educational agencies will focus on will be the one year limit on participation, and not on the individual evaluation of the student. This limit on participation will no doubt push many limited English proficient students out of the bilingual program before they are ready to successfully pariticipate in an English only classroom.

4. Senate Bill S. 2412 proposes to fund non-bilingual program options with Title VII dollars thereby making less money available for bilingual education programs. Although non-bilingual program options may well be worth considering, we need not spend Title VII monies on such an endeavor. Similarly, to include bilingual vocational education under this Act is to place an unreasonable burden on an already insufficiently funded Title, although the concept of bilingual vocational education is a sound one and merits its own funding.

5. We recognize the need to have teachers funded by this Act who are proficient in English because they must teach English language skills. However, we urge that you take another look at the wording which requires teachers funded by this Act to be

> proficient in the native language "to the extent possible." Just as it is necessary for the teacher to be proficient in English, so too is it necessary for the teacher to be proficient in the student's native language. In order to be able to communicate with the student and to teach in the language the student understands while he/she is acquiring English language skills, equal emphasis should be placed on proficiency in the native language for teachers funded by Title VII.

We respectfully urge you to carefully consider the concerns we have brought to your attention here. These concerns are based on our collective experience with countless students over a number of years. We would be happy to share our expertise with you in an effort to make these amendments to the Bilingual Education Act as responsive as possible to the instructional needs of limited English proficient students.

304 Stanage
Champaign, Ill. 61820

April 16, 1982

The Honorable Robert T. Stafford
United States Senate
Washington, D.C. 20510

Dear Senator Stafford:

I am writing to express my opposition to cuts in funding for Title VII bilingual education and to any proposals which would allow Title VII funds to support ESL-only and/or "immersion" programs. Furthermore, I wish to express my opposition to amendment S 2002, which limits the duration of a child's participation in bilingual education programs and to any amendments which exclude children of "limited" English proficiency from program participation. I would like my comments to be entered on record for the upcoming hearings of the Senate Subcommittee on Education, Arts and Humanities on April 26, 1982.

Since issues related to the purpose of and the effects of bilingual education often become confused during extended rhetoric, I would like to refresh your memory with a clarification of some issues.

The purpose of bilingual education. It is important to keep in mind that the purpose of bilingual education is to provide an equal educational opportunity to the children of this country who are not proficient in English upon entering the schools. It takes a number of years to learn a second language thoroughly enough to be able to function at an academic level equivalent to those whose entire history of cognitive development has been centered in that other language. If minority-language children are not provided with an education in a language which they understand during the time that they are learning English, they fall hopelessly behind in all those non-language subjects that produce an educated person -- subjects such as the sciences, social studies, literature and arts. Attained education and knowledge is transferable to any language once that language has been learned, as is evidenced by the many notable scientists, scholars and even politicians in our country who were schooled in other countries but who now function in English. Where education is not attained because it is presented to young children in a language they do not fully comprehend, there is nothing to transfer by the time the second language is learned. The purpose of transitional bilingual education is to provide a comprehensible education to minority language children during the years in which they are learning English. We owe it to our country not to let potential talent go to waste.

Recent OPBE report. My second point calls your attention to a recent report produced by Keith Baker and Adriana de Kanter in the Office of

Planning and Budget Evaluation of the Department of Education. You are probably aware of this report since it received widespread attention through the mass media, even in small towns of Illinois. The OPBE report addresses primarily the question of whether children in bilingual education programs learn English faster than they do without a program. In spite of the fact that the authors found that children in bilingual education programs are not hindered in the learning of English when compared to children who are not in such programs (i.e., no differences between the groups), the authors concluded that bilingual education is ineffective. However, as long as bilingual education does not hinder children in the learning of English, then the appropriate measure of success of bilingual education is its effect on achievement in the sciences, humanities and arts as well as attendance and school retention. The authors of the OPBE report failed to address these questions. They did look at one subject area -- math. Since math is the subject least dependent on linguistic comprehension, one would not expect that bilingual education would provide a large advantage in this subject and this is what the authors found -- no advantage and no disadvantage.

It is also important for you to note that the review methodology utilized by Baker and de Kanter has been seriously criticized by a number of prominent researchers. I, personally, find their review so inadequate methodologically, as to warrant a re-analysis of the material they reviewed. I am currently subjecting their materials to a statistical synthesis using techniques of meta-analysis.

My final point regarding this particular report concerns the fact that Baker and de Kanter recommend that bilingual education funds be re-directed to "special programs" such as immersion programs. I would like to point out that their evidence for the success of "immersion" programs in the United States rests on the success of one single case -- a kindergarten program in Texas. Furthermore, that particular kindergarten program was designed so bilingual teachers would utilize English in the morning and Spanish in the afternoon and children could respond in either language. The person designing the program (Dr. Eva Hughes) holds a Ph.D. in bilingual education, which she received as a Title VII Fellow at the University of Illinois. The program was compared to an existing bilingual program (which Dr. Hughes felt was inadequate) in order to demonstrate to the school district that a better bilingual program could indeed, be designed and implemented. The fact is, then, that this program is actually a bilingual education program. Even if it were not a bilingual education program, re-directing federal funds on the basis of evidence from one single kindergarten program is hardly a responsible policy.

Please enter my comments on record and please do consider these points when you decide where to place your own support. Thank you for your attention.

Sincerely,

MANUEL X. AGUILAR
Superintendent

April 26, 1982

The Honorable Senator Robert T. Stafford
United States Senate
Washington, D.C. 20510

Dear Senator Stafford:

It is the desire of the Gadsden Independent School District that the information contained in this letter be entered on the committee record. As the Gadsden Independent School District is committed to the ideals of bilingual education, it is the overwhelming consensus of our staff and community to express our vehement opposition to the proposed legislation of Senators Huddleston and Abdnor (S. 2002) to amend the Title VII Bilingual Education Act. As many of our staff members have worked in bilingual education programs throughout the United States, our position is not based solely on colloquial experiences.

Along with personal experiences and opinions, we submit to you data gathered over a five year period and analyzed from the Title VII Bilingual Education Program based at Sunland Park Elementary School. The Gadsden Independent School District enrolls approximately 85 percent Spanish surnamed children in its schools. These children come to school with various degrees of competence in the English language. Seventy-five percent of these youngsters are experiencing great difficulty with the English language.

The outstanding problem of these children centers around their inability to grow conceptually and linguistically at a rate and to a degree of non-minority children. It is believed that their conceptual growth is limited or hindered due to lack of fluency in the English language.

The program at the demonstration school (Sunland Park Elementary School) was implemented in 1977 and is now terminating in its fifth year, 1982. Students are grouped by language proficiency for instruction in language arts and in the content area. Concepts are introduced first in the child's dominant language and reinforced in the second language.

GADSDEN INDEPENDENT SCHOOL DISTRICT
WEST WASHINGTON STREET · P.O. DRAWER 70 · ANTHONY, NEW MEXICO 88021 · PHONE (505) 882-3531

Please consider initially the English-dominant child in the first grade. In the first grade alone, neither all the basic reading skills nor all the basic writing skills are taught. More skills are progressively introduced, taught and practiced in the second and third grades. The skills taught are practiced continuously as children are learning the content of social studies, science, math, health and other areas. These content area materials are all designed and written at the appropriate skill and conceptual level of the child.

To the contrary of the English-dominant child, the non-English dominant child cannot possibly be expected to master necessary reading and writing skills at the same degree as his/her English-dominant peer in a foreign language (English). The best way for reading and writing skills to be learned at a "regular/normal" pace is in one's dominant language.

The progress of our children at Sunland Park School has been tracked from Kindergarten through the fourth grade. At the end of the first year of the project, 98.9 percent of the first graders scored far below grade level on the Comprehensive Test of Basic Skills (CTBS) reading test. By the time these first graders had reached the fourth grade and almost finished that year, 43 percent were reading in English at grade level or above. In fact, nine percent of these fourth graders were reading at a sixth grade level. By the end of the first project year, 93.3 percent of the Kindergarten children scored below grade level on the CTBS language subtest. By the third grade, 65 percent of these children were scoring at or above grade level on the CTBS reading subtest.

Students who had received content area instruction in Spanish and ESL (English as a Second Language) instruction for two years (Kindergarten and first grade) transferred the skills learned in Spanish to English. Consequently, 78.3 percent of these students were reading at grade level or above in the second grade.

Second grade students who initiated their reading instruction in English (English-dominant children) showed a lower reading level than students who learned to read initially in Spanish. Only 67 percent of the English-dominant students were reading at grade level; whereas, 78.3 percent of the non-English dominant students were reading at or above grade level in English.

This data demonstrates the fallacies of 1) total ESL immersion, 2) artificial time limitation (one year) of student participation in a bilingual program, and 3) limitation of bilingual services to children who "have difficulty speaking and understanding instruction in the English language."

It is our sincere hope that the information we have provided will cause careful consideration before altering so drastically the language of the Bilingual Education Act.

Respectfully,

Manuel X. Aguilar

Manuel X. Aguilar
Superintendent of Schools

National Congress For Puerto Rican Rights

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TESTIMONY IN OPPOSITION TO:

S. 2002, the "Bilingual Education Amendments of 1981" and the "Bilingual Education Improvements Act of 1982"

SUBMITTED BY:

Diana Caballero Perez, Co-Chairperson,
National Bilingual Education Task Force
April 26, 1982

The National Congress for Puerto Rican Rights is an organization committed to fighting discrimination on all levels and to achieving full equality and dignity for our community. We have a membership that extends itself from Washington, D.C., to Connecticut, Detroit, California and Hawaii and active groups in New York, New Jersey and Pennsylvania.

We have been engaged in developing grass-roots education in our communities about the present attacks by the administration and have been organizing to prevent the dismantling of programs we fought so hard to achieve. Programs that mean survival and advancement for Puertorriqueños in this country.

The fight for bilingual education within the Puerto Rican community has been the means to assure that our children not be victimized in the public school system because of an inability to speak English nor be penalized for being Puerto Rican.

We believe that the proposed bilingual education amendments would have a dramatically devastating effect on the linguistic, academic, cultural and social development of Puerto Rican children who need these programs to survive in an educational system that has historically prevented this. The discouraging figures on school achievement and the drop-out rate are proof of this. Language is an essential tool as well as an expression of our people's being.

The recent attacks by the administration are evident in the bills presented on April 23. S. 2002, the "Bilingual Education Amendments of 1981", introduced by Senators Huddleston and Abnor, limits participation in bilingual programs to only one year. This is pedagogically unsound because research has shown that language acquisition is by no means a one year process. The administration's proposed changes in the "Bilingual Education Improvements Act of 1982" would obliterate the intent of the original legislation by allowing methods of instruction that are not bilingual, thus contradicting the letter and the spirit of the current law. It will authorize the funding of a "wider range" of educational approaches designed to address the needs of children of limited English proficiency. In reality, its intent is to replace bilingual education programs, which have been proven effective and which our community supports, wants, and needs, with limited and unresponsive transitional, English-As-A-Second Language and English immersion programs.

This recent attack on bilingual education cripples the original intent of the Bilingual Education Act to foster equality of opportunity in education to children of limited English proficiency. We deplore the conscious decision by national policy makers to reverse our educational development. By officially sanctioning a return to the "sink or swim" treatment, it is in essence implementing a policy of educational and cultural genocide which would proliferate under the pseudonym of English "immersion" programs.

It is interesting to note that an issue of such national scope has been given only a few hours of public hearing. We are sure that many more opposing view points would have been heard if the process had allowed sufficient time for testimony to be prepared and delivered by those opposing it. It is unfortunate that the administration would rather listen to someone like a Richard Rodriguez, author of a recent autobiography condemning bilingual education, than to listen to Marisol Arceo, age 10, Miami, Florida; Jose Cespedes, age 13, New York, N.Y.; and David Vazquez, age 18, Berrien Springs, Michigan who recently wrote award winning essays on the theme: "What Bilingual Education Has Meant To Me." These essays are moving tributes to the positive impact of bilingual education on their lives. They should have been here today! These hearings have been a travesty of the democratic public comment process in which all our community should have been given the opportunity to participate.

The National Congress for Puerto Rican Rights will continue to actively oppose any effort on the part of the administration or other opponents to eradicate bilingual education.

Rhode Island State Advisory Council
on Bilingual Education

To: The Senate Subcommittee on Education, Arts and Humanities

The Rhode Island State Advisory Council for Bilingual Education strongly opposes the proposed "Bilingual Amendments of 1981" introduced by Senator Huddleston. It is estimated that over 11% of Rhode Island's student population has a primary language other than English. In Rhode Island's capitol city, the limited English proficient student population has been increasing at a rate of 20% a year. This mirrors similar trends in major cities across the nation.

The diverse needs of this growing population require specific instructional programs. Any restriction on the duration of the program and the language of instruction would serve to dilute and diffuse the educational impact of Title VII.

The major concern of parents and educators is the acquisition of quality education for their children. The proposed changes would act as a deterrant to quality Title VII programs by not allowing educators to exercise their professional judgment in the design and implementation of specific educational prescriptions for individual bilingual students.

In this regard, the Huddleston Amendments represent a pedagogically irresponsible and short-sighted approach to the resolution of one of today's major educational problems. It is for these reasons that the Rhode Island State Advisory Council for Bilingual Education feels compelled to reject the proposed plan. We encourage a similar response from your estimeed Subcommittee.

Frank Piccirilli
Chairman

13060 Clarewood
Houston, Texas 77072

April 23, 1982

Senate Subcommittee on
Education, Arts and Humanities
United States Senate
Washington, D.C. 20510

Gentlemen:

As a language professor and a teacher trainer, I implore you, in the light of all respectable research available, to oppose the "Bilingual Education Improvements Act of 1982" and S.2002, the "Bilingual Education Amendments of 1981."

The "Bilingual Education Improvements Act" would expand the concept of bilingual education and the definition of a bilingual educator to include monolingual approaches to teaching limited-English speakers. S.2002 would limit the time a child can participate in a bilingual program to one year.

As Rudolph Troike points out in his review of research in bilingual education (*Educational Leadership*, March, 1981), there is growing evidence that instruction in a student's native tongue while he acquires English is not only a logical but a demonstrably effective means of providing equal educational opportunity. Students from minority language groups in bilingual programs across the country are achieving at or above national norms in English, often for the first time in the history of their communities. In addition, there is no counter-evidence in favor of an ESL-only approach. In the few instances where ESL only and bilingual education have been directly compared, bilingual education has been more effective.

Researchers such as James Cummins and Christina Bratt Paulston have indicated that emphasis on English learning to the detriment of native-language development and scholastic achievement appears to limit the learner's acquisition of the English language itself. Children from minority language groups who are exposed too early to excessive use of the majority language appear to experience "subtractive bilingualism"-- the loss of one language before sufficient gain of another. This abrupt interruption of native-language development for these children appears to limit both their ability to acquire a second language, and their ability to process new concepts.

The Equal Educational Opportunities Act of 1974 imposes on educational agencies not only the obligation to help limited English-speaking children overcome the language barrier, but also the duty to provide assistance in areas of instruction where equal participation may be impaired during the language learning process. Thus, our obligation to these children is not simply to teach them English, but to overcome linguistic obstacles to literacy. ESL-only or total-immersion approaches force a child to fall behind academically by failing to provide understandable instruction during the necessarily lengthy process of acquiring sufficient English for academic performance.

As it is important to provide limited-English speakers with quality instruction in both English and the content areas, we must retain Title VII as a program of bilingual instruction. Because S.2002 is educationally unsound, we must oppose and defeat it.

Sincerely,

Sally Wilton

Sally Wilton, Ph.D

SW/rs

SOCIO

SPANISH-SPEAKING ORGANIZATION FOR COMMUNITY, INTEGRITY AND OPPORTUNITY
3060 South Lester Street • Salt Lake City, Utah 84119 • 972-1027

Robert Nieves
EXECUTIVE DIRECTOR

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MAGNA
SOUTH WEST
BOX ELDER
GREEN RIVER

April 21, 1982

The Honorable Robert T. Stafford
United States Senate
Washington, D. C. 20510

Dear Senator Stafford:

I have made numerous attempts to contact Polly Gault and Bruce Post, staff contact persons in your office, concerning upcoming bilingual education legislation. The intent was to request to testify on the "Bilingual Education Amendments of 1981" and the "Bilingual Education Improvements Act of 1982."

I was unable to speak to them personally and was further made aware that there was not sufficient time to allow all those interested in testifying to do so. I was then made aware that I could ask to have the written testimony included in the record of the hearings. I am, therefore, asking you to include the following testimony in the official record of the hearings.

Mr. Chairman and Members of the Committee:

I am pleased to testify on S. 2002, the "Bilingual Education Amendments of 1981" which were introduced by Senators Huddleston and Abnor, and the "Bilingual Education Improvements Act of 1982" which was developed by the Reagan Administration.

I am testifying on behalf of Utah's SOCIO Organization. The members of our organization feel a need to testify in opposition to both S. 2002 and the Administration's Proposal.

It is felt that S. 2002 is an attempt to limit the time a child can participate in a bilingual program. S. 2002 indicates that one year would be an advisable period of time for a child to participate in bilingual education. We sincerely feel that it would be a grave mistake on the part of your committee to approve such legislation. Recent research indicates that it takes approximately two to three years to transition a student from a bilingual education classroom into an all-English curriculum classroom. Other proposals in S. 2002 also run counter to many educational research findings.

The present Title VII legislation makes adequate provisions for a child's entering and exiting from bilingual education programs. The existing Title VII legislation also already incorporates structured English as a second language (ESL) instruction as an integral component of federal bilingual education programs.

We also oppose the Administration's Proposal to amend Title VII legislation. It is absurd to reduce funding to the level indicated by the Administration while authorizing the funding of a wider range of educational approaches designed to address the needs of limited English proficient students. Some of the programs advocated such as ESL and English Immersion programs can already be funded through existing Chapter I funds. Why utilize such a paltry sum of Title VII bilingual education funds to initiate the aforementioned programs when the vast resources of Chapter I funds could be utilized for ESL only and Immersion programs. In addition, the provision weakening the requirement that personnel in the program be bilingual is a poor proposal due to the existing need for a link to the native language. If the committee is worried about this aspect, all that has to be done is to certify that personnel in the existing and new programs be proficient in English as well as the native language.

The Administration's proposal to give preference to programs which serve only children whose "usual language" is not English is a very poor attempt at dealing with an educational problem. Can we redesign the needs of students through a semantical twisting of words? Our only hope of breaking the traditional cycle of failure by limited English proficient students is to attempt to provide equal educational opportunity to all of them, not only those who "usually" speak only a language other than English. The program would then only serve a small subset of those children who need special help due to linguistic interference. If this is passed we may, at that point, encounter many students who are neither proficient in English nor in their native language. Will this help the United States change this population from one of tax consumers to tax producers? The new definition will reduce the number of eligible children but will not assist school districts in meeting the educational needs of limited English proficient students who are experiencing educational difficulties.

We, therefore, in Utah request you to extend the existing Title VII Bilingual Education Act as amended in 1978 and increase the funding level for bilingual education programs.

There is sufficient flexibility in the existing legislation to permit school districts to design programs to meet the needs of limited English proficient students in their schools. A reduction in the funding level for the programs would directly impact on the programs' efficiency. If reductions are necessary they should be in the fellowship programs, grants to institutions of higher education, desegregation grants and bilingual vocational training.

We once again wish to reiterate our opporition to S. 2002 and the Reagan Administration's proposed Title VII amendments, and support an increase in funding for the existing Title VII Bilingual Education Act as amended in 1978.

I would be happy to speak with you more in depth on this subject at your convenience.

Respectfully submitted,

J. A. Rudy Reybal
President
Salt Lake City Chapter of SOCIO

/mc

COMMUNITY COLLEGE OF PHILADELPHIA ■ 34 SOUTH 11TH STREET, PHILADELPHIA, PENNA. 19107 ■ 972-7000

May 26, 1982

Robert T. Stafford
United States Senator
Committee on Labor and Human Resources
Washington, D.C. 20510

Dear Senator Stafford:

Thank you for your reply to my letter expressing an interest in the hearings on the proposed changes to the Bilingual Education Act.

Bilingual education implies the teaching and learning of content matter in two or more languages. The purpose of this instruction, from my perspective, which is also the perspective of various scholars in the field, is to develop the analytic and linguistic skills of culturally and linguistically different individuals.

An uncontested linguistic fact is that knowledge (as science, literature, music, or the arts) is not the exclusive domain of the English language. Hispanics and others can and do learn concepts in languages other than English. In keeping with the spirit of the 1968 Bilingual Education Act, the mother tongue is used to enhance analytic and linguistic skills in culturally and linguistically different individuals, and to promote cognitive development. Forcing students from linguistically different and economically deprived backgrounds to learn only through the English language (ESL or otherwise) perpetuates academic and economic failure. This is evidenced in the high dropout rates among the Hispanic population. (Scholarly works treating this subject in depth are those by Lambert, 1972, 1973, 1976, 1982; Cummins, 1976, 1978, 1980, 1981; and Fishman, 1972, 1975, 1976, 1979, 1981.)

I am enclosing some articles that I have written dealing with the topic of bilingualism. These represent my own findings on the performance of culturally and linguistically different individuals at the college level. It is due to the nature of these programs that approximately 40% [illegible] students have successfully transferred to four-year institutions of higher learning. Others have continued their education at vocational-technical institutions.

In the area of basic literacy, I strongly feel that instruction through the mother tongue is the only logical and economically sound approach. (Refer to Dr. Robson's findings, Center for Applied Linguistics, 1979, 1980, 1981.)

I am still very interested in submitting testimony to the subcommittee on Education, Arts and Humanities. Please inform me of your decision at your earliest convenience.

Sincerely yours,

Susana M. Daniele

Susana M. Daniele,
ESL/Bilingual Programs Coordinator

Institute of Far Eastern Studies
Seton Hall University
South Orange, New Jersey 07079
Area Code 201 – [illegible]
762-4382

May 18, 1982

Subcommittee on Education,
  Arts and Humanities
4230 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Sir:

Enclosed please find the written testimony from Dr. John Young which he was unable to present at the hearings on April 23 and 26 concerning the Bilingual Education Act.

He would like to have this testimony included in the record of the hearings. Thank you.

Sincerely,

Janice Pedalino

Janice Pedalino

(1) Needs

According to Yun Kim of the Census Bureau, the Asian and Pacific population of the United States has exceeded 3,500,000. This figure was calculated on the basis of the 1980 census. (Cambodians, Laotians, and immigrants from Thai and Fiji Islands are not included in this figure.) Asian and Pacific Americans (APA) have been the fastest growing minority in the United States in recent years. Between 1970 and 1980, the Asian and Pacific American population increased by 128%. The Hispanic and Black population grew by 61% and 17% respectively.

At least two-thirds of the Chinese, Filipinos, Koreans, and Vietnamese in the United States are foreign-born. In addition, half of the Chinese, Korean, and Vietnamese populations in the United States speak their own native languages.

Through the years, the need for Asian and Pacific bilingual programs has been quite apparent. And yet, the Federal support for our bilingual program was started late with inadequate funds.

(2) Asian Materials

Since I have been serving the ABCD Center, a material development center for Chinese, Japanese, and Korean bilingual secondary school instructional materials for many years, let me use the material development aspect of the bilingual activities as an example of this situation.

Several Asian and Pacific material development centers have been established since 1976 for the purpose of developing a nationally coordinated set of bilingual materials. As of today, we still do not have one complete set of materials serving kindergarten through twelfth grade and covering all subjects taught in our public schools. We do not have a single volume of any bilingual textbook with simplified Chinese characters which the People's Republic of China's children have been using in their native country. Moreover, there does not exist even one sequentially arranged set of textbooks for the fifth, sixth, eleventh, and twelfth graders. Many compiled materials have not yet been printed due to the lack of funds.

Unless we continue our efforts to complete the first phase of our task, namely to compile and publish at least one sequentially arranged set of Asian language materials covering core subjects for all grades, our past six years of arduous effort will be in vain and wasted. We need continuous Federal support to achieve these goals which are minimal from an overall perspective.

Due to the fact that some states do not have the desire nor the resources and personnel to accomplish this objective, it is imperative that we maintain our current system of Federally supported programs. We as educators strongly feel that each and every human being is a natural resource that our country cannot afford to waste nor neglect. This system would ensure that even states with relatively smaller Asian populations would receive some assistance through our nationally coordinated network.

(3) Bilingual Education and Modern Languages

Bilingual education and modern language education are complimentary to each other and are inseparable. Permit me to use our ABCD Center activities as an example of the close relationship. In the past, modern language instructions have been clustered around literary texts once the learner finishes the basic level. We hardly find any appropriate textbooks covering areas such as history, geography, government, economics, sociology, and other social studies topics. ABCD Center has produced secondary school bilingual texts covering these subjects in Chinese, Japanese, and Korean with a multi-cultural content. They can be used by both college and adult education students as readers or texts. These materials are not only useful for students but also those professionals who are engaged in international trade, commerce, and tourism find our texts useful.

Educators in Asia have also expressed interest in disseminating our texts in their respective countries. Koreans are particularly interested in adopting our social studies core for their schools. This would greatly enhance the mutual understanding of American culture and history to those Koreans abroad.

(4) Conclusion

The need for Asian bilingual programs in general and Asian materials in particular is obvious. It is strongly urged that the Federal subsidy to continue the development of Asian materials be extended and strengthened.

American
Psychological
Association

April 22, 1982

Ms. Susan K. Herrera
Director, Congressional Hispanic Caucus
H2-557
Washington, D.C. 20036

Dear Ms. Herrera:

We are responding to the request of Congressman Robert Garcia for a review of and comment on the draft Department of Education report entitled "Effectiveness of Bilingual Education: A Review of the Literature," prepared by staff in the Department of Education Office of Planning, Budget and Evaluation.

In order to assist us in responding to this request we asked a small panel of psychologists with expertise in evaluation research to provide us with a review of the report. A subset of our reviewers also have expertise in bilingual education. The reviewers were suggested by members of the Board of Scientific Affairs and the Board of Ethnic Minority Affairs of the American Psychological Association. We asked the reviewers to comment on the following issues:

- The scientific quality and objectivity of the report.
- The adequacy and acceptability of the methodological standards employed in accepting or rejecting studies and findings.
- The strengths and/or weaknesses of the approach and conclusions of the report for the purposes of guiding the formulation of relevant public policy.

The five reviewers, in addition to ourselves, were: Karen K. Block, Ph.D., Associate Professor of Educational Psychology and Research Associate, Learning Research and Development Center, University of Pittsburgh; Asa G. Hilliard, Ed.D., Professor of Education, Department of Educational Foundations, Georgia State University; Harold M. Murai, Ph.D., Associate Professor, School of Education, California State University, Sacramento; Arturo T. Rio, Ph.D., Senior Research Scientist, Spanish Family Guidance Center, Department of Psychiatry, School of Medicine, University of Miami; and Carol Kehr Tittle, Ph.D., Professor, School of Education, University of North Carolina, Greensboro.

1200 Seventeenth St., N.W.
Washington, D.C. 20036
(202) 833-7600

Below we provide our comments based on our understanding of the policy context of the report, the methods and findings of the report, and the evaluations we have received from the above-mentioned reviewers.

Policy Context

There are an estimated 3.6 million minority-group children deemed to be of limited English proficiency (LEP) and in need of special language instruction. In terms of the numbers of these children served by bilingual education programs, it is estimated that 330,000 were served during 1981. The administration estimates that the 1982 requested level of funding would reduce the number of students to 213,000; the 1983 proposed level would further reduce that number to 172,000. In 1981, $161.4 million in federal funding was appropriated for bilingual education. For 1982, the third continuing resolution authorized $138 million, but it has been requested that the 1982 level be lowered to $126.5 million. $94.5 million is being proposed for 1983.

In addition to budget reductions, amendments are being proposed to the Bilingual Education Act (Title VII of the Elementary and Secondary Education Act, as amended) that would further restrict the scope of bilingual education programs. For example S 2002 proposes to place a one year limit on participation by children in a bilingual education program funded under Title VII; it would also amend the definition of language proficiency by restricting it to encompass understanding and speaking (thereby eliminating the reading and writing components). The amendment would also require LEP participants to take an intensive English course, but we understand that this requirement complies with existing legislation and is reflected in the pertinent regulations.

The "unofficial" report has been and is currently being used to support various rationales for the proposed funding cuts and for the proposed more limited definitions of bilingual education. For example, Senator Huddleston stated in his remarks introducing proposed funding cuts last November that "The Department of Education recently completed a report, which has yet to be officially released, which shows that bilingual education programs are not working" (Congressional Record, page S 13896, November 19, 1981). An additional example of the use of the report in the context of proposed funding cuts is provided by Congressman Staton's official comments (Congressional Record, pages H 7089-90, October 6, 1981).

Interpretation of the Report Findings (Independent of Validity Issues)

We wish to convey to the Caucus our belief that to this point in time the report (and its conclusions) have been inappropriately interpreted. Even accepting the report at face value, it does not support a conclusion that bilingual education is ineffective or unneeded. At best, the report claims that there is insufficient evidence to conclude that one specific form of bilingual education programming is supreme to other forms of bilingual education. This is a far different question than whether or not bilingual education is effective. We fully concur with the report's conclusion "that program evaluations are still of very poor quality; much improvement is still needed in this area," and that "[t]he need for [further] research is great [p. 18]." We are concerned that debate over the report and its conclusions is diverting attention from fundamental policy issues--issues dealing with the civil rights of language minority children under Title VI of the 1964 Civil Rights Act and the need to balance the protection of language minority children's rights with other valuable goals such as program flexibility and the avoidance of undue intrusion into local educational affairs.

Adequacy or Inadequacy of the Report as an Evaluation of the Effectiveness of Bilingual Education

The reviewers provided numerous comments and various perspectives concerning the scientific quality and objectivity of the report, as well as the adequacy of the methodological standards and their application in the report. Below we provide a synthesis of the comments organized in terms of eight categories of issues or concerns which seemed to emerge. Also, where appropriate, we provide an indication of areas of consensus, as well as disagreement among reviewers.

1. On the utility of a "review of literature" approach to this issue. One of the reviewers (Hilliard) expressed ". . . serious reservations about the process of developing policy recommendations for such an area based solely or primarily upon a review of the literature. Too much diversity exists in language and labels, categories and paradigms, measurement instruments and criteria, for the 'outcomes' cited in the literature to be aggregated" (original italics). This is a significant problem, and it is partially a methodological problem. There is a general lack of specificity of measurement of almost every variable. For example, the measure of program success may be viewed as "academic achievement," but be operationally defined in differing ways: percent of LEP students graduating, in terms of drop out rates, in terms of absenteeism, on the basis of test performance compared to national norms. The measure is locally determined to address a specific local need (be it a count of students successfully served as a budget justification or a multiple measure approach attempting to generate sound scientific data). Aggregating across them, when they tap very different types and quality of data can be near impossible. Hilliard further stated that in his opinion ". . . the literature cited does not contain sufficient data for policy recommendations such as those presented with such apparent confidence."

2. On the validity of "treatment" classifications. Three of the reviewers specifically questioned the validity of the four program categories (submersion, structured immersion, English as a second language, and transitional bilingual education). The issue here is not the categories per se; the issue is whether or not the classroom teaching methods actually used in the various studies were accurately assigned to the appropriate categories (and in many cases whether or not the teaching procedures used could reasonably be viewed as "pure enough" to be classified at all).

   - ". . . it is really not even clear that the studies have manipulated, or compared, some educational treatments that are actually, as opposed to apparently, or reportedly different." (Block)

   - "The state of the art in practice and the nature of the literature do not allow us to have essential knowledge about the validity of the 'treatments'." (Hilliard, original italics)

   - "This classification is overly simplistic since it does not take into account variables associated with the design, implementation and intensity of programmatic approaches. Although these four approaches can be conceptually defined in different terms, there is frequent program overlap in practice." (Rio)

3. On the criteria for acceptance/rejection of studies. The nature of the methodological criteria for accepting or rejecting studies as applicable to the review was questioned. This was of particular concern because of the large number of studies that were rejected (only 28 out of more than 300 were accepted). Certainly "outcome" measures such as school absenteeism, dropout rates and attitudes toward school are relevant to the effectiveness of bilingual education programs. If submersion programming leads to 50, 60 or 70% dropout rates whereas bilingual instructional programs demonstrate only 20% dropout rate--that is a strong real-world statement of impact. Students who are not in school or who hate school are not very likely to learn. The general consensus was that although it is useful to establish criteria to evaluate studies, in this particular case the criteria may have been too rigid and inconsistently applied. The following statements illustrate this point:

- "The most obvious problem with the de Kanter and Baker's report is that they violate their own guidelines in referring to studies in arguing against Transitional Bilingual Programs. For example, they reject several studies because comparisons were made to national norms, a methodological error according to de Kanter and Baker (e.g. Corpus Christi, 1980; Rimm, 1980). Nevertheless, they cite the AIR study, which also makes comparisons to national norms." (Murai)

- "Without questioning the desirability of having all studies meet at least ideal criteria, one must estimate the probable consequences of a study's failure to meet one or more of such criteria. For example, we may gain information without use of a control group." (Hilliard)

- "By using rigid experimental criteria to evaluate educational programmatic application in the field, the authors of the Report rejected potentially relevant information . . . Technical issues of research design applied a posteriori to field and evaluation projects are unwarranted." (Rio)

4. On the narrowness of evaluation goals. Two of the reviewers expressed concern about the narrow range of interest reflected in the evaluation questions addressed by the report (particularly in light of the broad array of issues to which the findings are now being applied). The report explicitly states that the review is focused on two program goals: (i) "Does transitional bilingual education lead to better performance in English?" and (ii) "Does transitional bilingual education lead to better performance in nonlanguage subject areas?" Our reviewers commented:

   - "Although the . . . report acknowledges the other goals expressed for programs generally called transitional bilingual education, the acknowledgement does not carry over to the conclusions on page 1 or the recommendations which begin on page 15, for federal level policy." (Tittle)

   - "[The authors] rejected the explicit program goals of some programs such as reduction of drop-outs, improved self-image, attitude toward school, preservation of the primary language and culture, and lower absenteeism. The fact that few of the 'studies reviewed' dealt with these issues, provides some limited justification for the restriction. However, the major studies of TBE may well be those which were in the larger pool of rejected studies. How many of them dealt with these issues?" (Hilliard)

5. On the generalizability of program evaluation studies. One of the reviewers (Tittle) commented on the variety of goals in evaluation research and how consideration of various goals may affect the conclusions reached in evaluation studies. These considerations were not properly taken into account in the report as noted below:

   o "The . . . report is correctly concerned with generalizability and design considerations, although ommitting a consideration of the magnitude of effects. Generalizability and design considerations are appropriate in reviews of the research and evaluation literature. However, the . . . report fails to distinguish among the possible goals of evaluation studies. Goals of evaluation studies may include examination of impact and ruling out alternative explanations. On the other hand, local program evaluation is more generally concerned with program improvement, whatever the program is, as it is defined and goals are set by the LEA. . . . Conclusions 2-5 on page 1 of the report are inappropriate until there is further clarification of the goals of local programs." (Tittle)

6. On the comparability of different studies. Two of the reviewers raised the issue that it is not appropriate to compare or aggregate the results of studies that differ widely in programmatic goals, geographical area, language minority population served, educational level of children involved, etc. This is particularly true when the "treatment" validity or quality control of purity of the classroom practices is unknown (such as noted in item 2 above).

   o "This comparison of diverse schools, programs, and students was aimed at the identification of one best approach at the expense of oversimplification of the research issues at hand" (Rio)

   o "How does aggregating the results from such studies give better information than considering studies in isolation? The aggregation in such cases is inappropriate, like adding apples and oranges, or worse like adding unknowns." (Hilliard)

7. On the "state of the art" in bilingual education. Reviewers generally agreed that both bilingual education techniques and the evaluation of bilingual education programs are at an early stage of development. We believe that great caution should be used in interpreting and applying the findings available to date on the effectiveness of bilingual education in general and the specific approach of transitional bilingual education in particular.

We would remind you that the Congress's own Office of Technology Assessment (OTA) has reported that less than 20% of all currently practiced medical procedures have ever been proven to be effective and beneficial through systematic assessment of the published literature or controlled clinical trials. In fact, if modern medical care required that 10 to 12 years after a specific method or approach was introduced a systematic literature review were conducted covering the entire period of evolution of the technique (and the methods for evaluating the technique), we would still be practicing bloodletting. The nature of bilingual education practiced today is different than that practiced five years ago or ten years ago. We have greater understanding of the unique dimensions of such programming, we have more and better bilingual educational aids, and we have experienced bilingual instructors. Likewise, the nature of the evaluation of bilingual education has changed. Many of the early attempts at evaluating such programs used crude and imprecise measures, whatever the evaluator thought of. Many of the "niceties" of experimental design were not even considered, let alone attempted. The evaluations of most bilingual education programs are not experiments, but program evaluations of the simplest form. Federal legislation did not even encourage research until four years ago. The quality of evaluation in this area is rapidly improving, but it still has a long way to go.

There was some disagreement among our reviewers as to the implications of the "state of the art" for public policy recommendations. For example, Hilliard and Murai concluded that there is insufficient evidence to recommend changes in policy:

- "The only reasonable conclusion that can be drawn from the review of studies is that there is a need for sound evaluation designs in demonstration projects." (Murai)

- "I certainly think that it is inappropriate for data gatherers in public policy research to move so consciously to redefine or to define the field of bilingual education." (Hilliard)

On the other hand, Block agreed with the authors of the report that:

- ". . . too little is known to recommend any single approach to bilingual education, and this also means that the government should not recommend exclusive adoption of the TBE approach."

8. On the need for more and better evaluation research. There was unanimous agreement among reviewers concerning the need for more and better evaluation research in the area of bilingual education. There is a need to develop basic methodological approaches to the conduct and evaluation of bilingual education. There is a need to conduct basic educational research of the process inherent in bilingual learning. And there is a need to conduct increasingly higher-quality evaluations. This will require a research budget that is greater than $5-6 million. As indicated above, Murai pointed out the "need for sound evaluation designs in demonstration projects." Other recommendations included the following:

   - "One recommendation I would make for further work would be to develop classroom models for various bilingual education approaches. This is a necessary step before we can say with some confidence that we know 'what works'." (Block)
   - "A worthy public policy study on such an important category of federal support must involve greater resources, and a more appropriately constituted research team,i.e., cultural group balance, and expertise and experience in successful bilingual program work." (Hilliard)
   - "Research needs call for experimental studies of alternative approaches. with the application of multivariate statistical procedures to well operationalized demographic and educational variables." (Rio)
   - "The magnitude of treatment effects should be examined over a wider range of studies by an independent panel. . . . The focus of local and federal evaluation should be considered by an independent panel representing local and federal level evaluators. . . . The priorities for research should be considered by an independent panel of researchers and specialists, balancing the view that can be presented. The panel on research priorities should take into account the potential for studies to respond to federal-level policy questions and the differences in goals represented by TBE and ESL/Immersion programs." (Tittle)

A Conclusion

The Department of Education draft report entitled "Effectiveness of Bilingual Education: A Review of the Literature" does NOT support the conclusion that bilingual education is ineffective, inappropriate, or unnecessary. In fact, it does not even attempt to address such questions. In debates on bilingual education in which the issues are defined in such terms, the study can be ignored--because it is irrelevant.

Another Conclusion

The scientific quality of the report is questionable. Inconsistencies are apparent in the application of the methodological standards utilized. The evaluation question addressed by the study was limited, and an arbitrary and narrow definition of "acceptable data" was utilized (and this latter point is particularly relevant because of the early stage of development of this area of educational practice and evaluation methods relating to it).

An Observation

Over the course of the past decade, transitional bilingual education has evolved as the dominant model for bilingual instruction. There are training materials, instructional aids, and an infrastructure in support of it. This provides an excellent opportunity to define more systematically and describe the specific classroom procedures which represent the "essential core" of this method of instruction. This would allow for the possibility of actually measuring in future research on this method whether or not the "treatment" (teaching procedures) was actually adhered to or delivered in the study. This would provide a "control" condition of bilingual instruction against which other approaches to bilingual education could be systematically compared. This is one of the key ingredients necessary to the conduct of sound evaluation research that can provide data that are meaningful to policy formulation. This argues for the preservation of the current initiative (although not mandating it as the only acceptable approach), when encouraging carefully thought out alternative approaches to bilingual education (conducted in the context of well-designed evaluation projects).

In closing we wish to express our thanks to the Caucus for the opportunity to review the report and provide our comments. Please let us know if we can be of any further assistance.

Cordially,

Esteban L. Olmedo, Ph.D.
Administrative Officer
for Ethnic Minority Affairs

Gary R. VandenBos, Ph.D.
Director, National Policy
Studies

BP

UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE SECRETARY

THE SECRETARY

JUL 1 1982

Honorable Robert T. Stafford
Chairman
Subcommittee on Education, Arts and Humanities
United States Senate
Washington, D.C. 20510

Dear Bob:

Enclosed are answers to Senator Kennedy's questions on our bilingual education bill. We are delighted to have had an opportunity to respond to them.

Sincerely,

Ted
T. H. Bell

Enclosures

PURPOSE OF BILINGUAL EDUCATION

Senator Kennedy: In his testimony, Senator Hayakawa stated that "the role of bilingual education is to equip immigrants with the necessary English language skills to qualify them to 'read, write and speak words in ordinary usage in the English language.'" Do you agree with his characterization of bilingual education?

Answer: In P.L. 95-561, the U.S. Congress declared that it is the policy of the United States to establish equal educational opportunity for children of limited English proficiency. The Act authorized financial assistance to local education agencies to develop and carry out educational programs using bilingual education practices, techniques, and methods for children who have educational needs which can be met by such programs. The law defines a program of bilingual education as a program of instruction designed for children of limited English proficiency, including the study of English. Instruction is given in English and, to the extent necessary, in the native language of the child to allow a child to achieve competence in the English language and progress effectively through the educational system.

These policies, goals, and definitions encompass the role of bilingual education which Senator Hayakawa stated.

Senator Kennedy: Does the program have another major goal or target populations?

Answer: Other goals of the Title VII program include: increasing the supply of trained teachers; increasing knowledge about effective classroom practices; providing demonstration models; and increasing the supply of human and material resources required to meet the needs of limited English proficient children.

Senator Kennedy: Specifically, is the program intended to benefit native-born "limited English proficient" students?

Answer: Students served by the Title VII program include children of limited English proficiency who are: a) individuals not born in the U.S. or whose native language is a language other than English; b) individuals who come from environments where a language other than English is dominant; and c) individuals who are American Indian or Alaskan Native students and who come from environments where a language other than English has had a significant impact on their level of English language proficiency. Thus the program serves both immigrant and native born children.

EFFECT OF PROPOSED LEGISLATIVE CHANGE ON PARTICIPANTS

Senator Kennedy: In his testimony, Senator Huddleston quotes a 1978 study that 25% of all students eligible for Title VII programs were foreign-born. Would the Administration's amendment, establishing a priority for LEP students whose "usual language is not English", increase the proportion of foreign-born students in Title VII programs?

Answer: The proposed amendment to add a funding priority for programs serving children whose usual language is not English might increase the proportion of children who are foreign born who are served by Title VII, because those whose usual language is not

English are somewhat more likely to be foreign born than native born.

Senator Kennedy: Would you describe in more detail the individuals who would participate in this program if your amendment were adopted?

Answer: The Department will continue to fund programs serving limited English proficient students from historically underserved groups, American Indian and Alaskan Native students from environments where tribal languages have had a significant impact on their English proficiency, and others whose school districts propose programs that will meet their needs, based on their eligibility as defined in Section 703(a) of the legislation. The basis for the legislative change is one of emphasis rather than exclusion.

Senator Kennedy: Will "historically underserved students" continue to be a priority under your amendments or will the requirement that student's "usual languge not be English" supersede that as a priority?

Answer: Historically underserved students will continue to be a priority under the proposed legislative amendments. Furthermore, that priority will not be superseded by any other requirement. The Department will support applications based on (1) quality rank, (2) historically underserved children, (3) geographic distribution, and (4) projects which propose to serve students whose usual language is not English.

CONGRESSIONAL INTENT BEHIND BILINGUAL EDUCATION ACT

Senator Kennedy: Senator Hayakawa also concluded in his statement that the Congressional intent in 1968 behind the Bilingual Education Act was to teach English to immigrants. Do you agree with this view?

Answer: P.L. 90-247 was enacted to increase the educational opportunities of children of limited English speaking ability. The Act was specifically designed to provide financial assistance to LEAs to develop and carry out new and imaginative elementary and secondary school programs for those children. Senator Hayakawa's statement is encompassed in this purpose of the program.

DIFFERENT APPROACHES TO BILINGUAL EDUCATION

Senator Kennedy: The Department's section-by-section analysis of its bill states that school districts can employ transitional bilingual education, English as a second language or immersion programs. Provide a description of these approaches -- in particular, specify the distinctions between the latter two approaches and transitional bilingual education.

Answer: The term "transitional" when applied to bilingual education commonly refers to the objective of the program. The term transitional bilingual education has been used to describe a broad range of educational services for children of limited English proficiency. Basically it encompasses two elements -- use of two languages in instruction and movement to full use of English in the child's program of instruction. That is, the bilingual education program is designed to provide instruction to the extent necessary in two languages and in all courses of study so that the child does not fall behind in other subject matter while learning English. A bilingual education program has, as one of its components, oral language development in English; therefore a transitional program uses the native language only until English language skills are acquired. Such a program is conducted with the express intent to assist the student to enter into all-English instruction classrooms. The time necessary to achieve this objective varies, depending on the linguistic, educational, and social needs and characteristics of the student being served, as does the mix or degree of emphasis in the use of the two languages.

The objective of an English as a Second Language program is to teach English language arts to the students. It may exist as a part of a bilingual education program (the English Language Arts part) or may exist as an independent pull out program where there is no use of the child's native language.

An immersion program is a specially designed program of instruction in which all subject matter instruction to the students is provided in English. Classes are structured to ensure that subject matter is understood even if the child has limited proficiency in English.

The latter two approaches, English as a second language and immersion, make no use of the non-English language while transitional bilingual education uses the native language to some degree.

Senator Kennedy: Does the Department adhere to the description of these approaches in the widely published deKanter-Baker study?

Answer: The description of English as a second language and immersion programs which appear in the Baker-deKanter study are similar to those given above. The implied definition of transitional bilingual education encompasses the complete range of dual language approaches for which the study found evaluation data.

LANGUAGE AND CULTURAL MAINTENANCE BY BILINGUAL EDUCATION

Senator Kennedy: Senator Hayakawa describes transitional bilingual education as "a more or less permanent two track education system involving maintenance of a second culture and an emphasis on ethnic heritage." Do you agree with this description?

Answer: Title VII funds programs of bilingual education in order to serve the educational needs of children with limited English proficiency and to prepare them to function in all-English classrooms. The statute requires that instruction be given with appreciation for the cultural heritage of the child. All projects funded must have these goals.

Senator Kennedy: Could you distinguish between the transitional and maintenance approaches to bilingual education?

Answer: As discussed above, a transitional approach to bilingual education is designed to enable students with limited English proficiency to meet a set goal, that is, to learn sufficient English in order to be able to participate in all-English classrooms.

A maintenance approach to bilingual education, in addition to enabling children to acquire English language skills, also seeks to maintain and enhance skills in the native language of the child.

Senator Kennedy: Are programs described by Senator Hayakawa the only programs that get funded under Title VII?

Answer: As stated above, the intent of Title VII programs is to help LEA's build the capacity to conduct bilingual education programs that assist children to acquire skills, as rapidly as possible, to function successfully in all-English classrooms.

ETHNIC HERITAGE INSTRUCTION

Senator Kennedy: Should ethnic heritage be taught under these programs?

Answer: Title VII funds programs of bilingual education for children with limited English proficiency which provide instruction that includes appreciation for their cultural heritage and of other children in American society, but the primary focus is on acquisition of English proficiency and basic skills.

NEED FOR MORE FLEXIBILITY IN INSTRUCTIONAL APPROACH

Senator Kennedy: Given the vast diversity of programs funded under Title VII and and the emphasis on local program design, why is additional "flexibility" needed?

Answer: Under the present law, the LEAs' flexibility in selecting instructional approaches is limited by the requirement that school districts use the children's non-English language. A number of school districts, educators and the Department of Education believe that approaches which use English exclusively may be warranted under certain circumstances. The proposed amendment would permit school districts to be funded to operate English-only programs if they are justified by local circumstances.

Senator Kennedy: Given the proven success of many bilingual programs, why should the Federal Government support unlimited experimentation as permitted under the Administration's amendments?

Answer: The fundamental goal of Title VII is to provide limited English proficient children with equal educational opportunity. A number of different Title VII activities contribute to this goal, but the primary way it is achieved is by providing assistance to local school districts to build their own capacity to offer programs which best serve that population. The Administration's proposal expands the type of approaches which would be eligible for assistance. Depending on the circumstances and the particular characteristics and needs of the children, different approaches may be more suitable or effective.

The Administration proposal would permit local school districts to choose the approach which best fits local circumstances. The Department will continue to review and evaluate these approaches and will provide support only to those districts which justify the chosen approach. The Department will make sure that approaches meet the needs of children and that projects which merit support are of good quality, whatever the chosen approach.

Senator Kennedy: Many States (Massachusetts, for example) have legislation requiring the teaching of bilingual education. Why should the Federal Government promote instructional methods that contradict the State laws and undermine their requirements?

Answer: The proposed amendments do not contradict State laws and undermine their requirements. LEAs can continue to propose dual language programs and seek funding under Title VII. We expect that many will do so. However, if permissable under State law, LEAs would have the option under Title VII to apply for funding of programs which use English exclusively.

It should be noted that many States do not require use of the child's native language. For these States, the current law is restrictive, adding Federal requirements beyond those specified by the State. Circumstances vary widely among the States and the Administration's proposal will permit greater State and local determination of the best approach for their children.

Senator Kennedy: Wouldn't the Administration's amendments encourage States to change their laws?

Answer: We do not believe that this amendment would encourage States to change their laws. The intent of our amendment is to be neutral in regard to instructional approach. The purpose of the program will continue to be to help LEAs develop their capacity to provide programs of special assistance to children of limited English proficiency using the approach they feel is most appropriate.

EFFECT OF PROPOSED AMENDMENT ON REVIEW OF GRANT APPLICATIONS

Senator Kennedy: The Administration's amendment would require grant applicants to show that their instructional methods would meet the special needs and characteristics of target populations. What criteria and standard of proof would be employed to evaluate the applications and the evidence provided by the applicant?

Answer: The existing criteria in program regulation will be modified to place additional emphasis on the quality of the proposed approach and how well it addresses the identified needs of limited English proficient children to be served by a project.

Senator Kennedy: What monitoring would be required to determine if the local program does meet these special needs?

Answer: Only in rare cases does the Department monitor Title VII applicants prior to review of an application or prior to the award of a grant. Monitoring typically occurs after an award is made and is accomplished through a site visit, telephone conversation, or through correspondence. As a part of the monitoring, program officials ascertain the status of project objectives, including those related to the special needs indicated in the applications.

Senator Kennedy: What specific evidence must be submitted by the grant applicant under your bill?

Answer: Present program regulations require the applicant to conduct an assessment of the children in the schools and grades to be served by the project in order to identify children of limited English proficiency. The assessment must include a determination of proficiency in understanding, speaking, reading, and writing the English language and must differentiate between children with language problems related to learning disabilities and children who are of limited English proficiency.

The applicant is then evaluated as to how well the chosen instructional approach addresses the needs of children identified in the initial assessment. We expect to modify our regulations to place additional emphasis on needs assessment and program design.

Senator Kennedy: How will this differ from current requirements for the submission of information?

Answer: The difference under the Administration proposal will be that previously ineligible approaches (English only) may receive support so long as the project achieves a high quality score and the instructional design meets the needs identified. Therefore, we expect to increase the emphasis on information about needs and require a justification of the instructional design chosen.

Senator Kennedy: Will the Department's evaluation of Title VII applications consider other benefits of bilingual education aside from English proficiency (for example, overall academic achievement; increased teacher contact with limited English proficient parents; lower student dropout rate)?

Answer: Title VII serves several purposes, one of which one encompasses overall academic achievement, lower student dropout rates and other student, classroom, and school related measures. Other purposes of Title VII include the improvement of the commitment and capacity of the applicant, the improvement in the skills and qualifications of teachers and teacher aides, and the improvement of home and school cooperation. In evaluating applications, we consider these benefits and purposes as well as achievement data We will continue to consider these and other factors in determining quality of applications.

NUMBER OF APPLICATIONS AND AWARDS

Senator Kennedy: How many grant applications have been received annually under Title VII?

Answer: In fiscal year 1981 we received nearly 1,700 applications for programs administered by the Office of Bilingual Education and Minority Affairs. Of these 1,700 applications, about 970 were received from local school districts proposing to serve children in one of three programs -- Capacity Building Projects, Demonstration Projects, and Desegregation Assistance Projects. In fiscal year 1982, we received nearly 1,450 applications of which about 850 were received from local school districts for the same three programs mentioned above.

Senator Kennedy: How many grants are made annually?

Answer: In the three categories listed above, 651 grants were made in fiscal year 1981. We expect to make 528 such grants in fiscal year 1982.

Senator Kennedy: Please provide a list of the applications submitted and granted for 1981-82 school year.

Answer: The information requested has been forwarded to your staff.

VALUE OF BILINGUALISM

Senator Kennedy: Is bilingualism a beneficial skill in the United States?

Answer: Programs under the National Defense Education Act provide assistance to college and graduate students in the development of foreign language programs and foreign language skills on the basis that these skills are important for the well-being and defense of our country. The President's Commission on Foreign Language and International Studies conducted a study in 1979 to inquire into this important area and my own Commission on Excellence in Education has been concerned with the need to improve the teaching of foreign languages in our schools. There is no doubt that foreign language skills are beneficial and that we need to do much more about them.

Senator Kennedy: Should the Federal Government promote bilingualism under any circumstance?

Answer: As indicated above, the National Defense Act programs support foreign language instruction. However, programs under Title VII, the Bilingual Education Act, are focused on a different problem -- helping limited English proficient students to achieve competence in English. It is therefore, a program primarily concerned with provision of equal educational opportunity to assure that achievement in elementary and secondary school and in American society is not hindered by lack of English language proficiency.

Senator Kennedy: In your opinion, is bilingualism in the United States likely to lead to a separatist movement, as suggested by Senator Hayakawa?

Answer: Most language minorities in the United States have believed that it was important to learn English. There is no evidence that this is any less the case today than it was at the turn of the century. In fact, because of the nature of today's job market with its educational and technological demands it is much less likely that language minority individuals will fail to learn English. Survey data from several sources support this belief.

FY 1983 FUNDING FOR BILINGUAL VOCATIONAL TRAINING

Senator Kennedy: The Administration's amendments would fund the Bilingual Vocational Education program under Title VII, while at the same time significantly decreasing the funding for this title. What will the scope and funding level of the vocational program be?

Answer: In the President's Budget for fiscal year 1983, the Department indicated that about $2.5 million was earmarked for Bilingual Vocational Training activities. The same activities supported in the past will continue to be supported. These activities include bilingual vocational training projects for out-of-school-youth and adults; bilingual vocational instructor training projects to increase the supply of teachers; and bilingual vocational materials and curricula development.

Senator Kennedy: What is the justification for shifting funds from other bilingual education programs to the vocational programs?

Answer: Funds were not shifted from other bilingual education programs to the vocational program. The total for Bilingual Education was increased to provide for vocational training.

EFFECT OF LEGISLATIVE PROPOSAL ON LOCAL CONTROL

Senator Kennedy: What community input and local control will exist under programs funded if your amendment is accepted? How will this differ from the current program?

Answer: The amendments will provide greater local control in deciding on the instructional approach to be used. Otherwise, no changes are contemplated in requirements in these areas.

Senator Kennedy: Why are "school districts in the best position to evaluate the needs of their students and to design programs in response to those needs"?

Answer: It is extremely difficult at the Federal level to establish policies which take into account the circumstances present in school districts throughout the country. Local school districts know their own particular circumstances and are in a much better position to set instructional policies which reflect those circumstances.

Senator Kennedy: Does the Federal government have any role in the evaluation of local needs and designing of local programs?

Answer: The Federal role, which we have no intention of abandoning, is to attempt to ensure quality in programs funded under Title VII and to ensure that programs meet the broad purpose of the Bilingual Education Act. Pursuant to this role, the Office of Bilingual and Minority Languages Affairs monitors individual projects. Technical assistance and training are provided to local education agencies through a variety of means.

Some Legal and Research Considerations in Establishing Federal Policy in Bilingual Education

IRIS C. ROTBERG
National Institute of Education

The federal government has maintained a prominent place in the formation of policy for bilingual education. Iris Rotberg traces the historical development of this involvement and its impact upon legislation, court decisions, regulations, and guidelines for meeting the language needs of over 3.5 million children of school age. The author reviews various instructional models and such research-assessed outcomes as students' achievement, self-image, and integration. She also discusses the implications for federal policy of these legal and research issues and the problem of fiscal support for bilingual programs. Rotberg concludes by proposing areas of research to be explored in future studies of bilingual education in the United States.

Approximately 3.6 million school-age children in the United States have limited ability in English. About 73 percent of these children are Hispanic.[1] Large numbers of children with similar language needs also come from Asian countries, and there are concentrations of American Indian, German, Italian, French, and middle-European children with limited ability in English in certain areas of the country.

Federal involvement in bilingual education began as a response to the educational problems faced by these children, to issues raised by the civil rights movement, and to the interest of ethnic groups in maintaining their language and culture. In general, the

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[1] Rochelle L. Stanfield, "Are Federal Bilingual Rules a Foot in the Schoolhouse Door?," *National Journal*, 18 Oct. 1980, pp. 1736-1740.

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federal role grew out of the social programs of the 1960s.[2] Although much has changed in the last twenty years, one clear fact remains: many children whose native language is not English continue to have considerable difficulty in school. More than 30 percent of students from Spanish-speaking homes are two years behind their age group by the end of high school, and about 45 percent of the Spanish-speaking population between fourteen and twenty-five years has not completed high school.[3]

In view of the varied premises underlying federal intervention and the economic implications of federal policies relating to the process of instruction and the selection of teachers and administrators in areas with large numbers of language-minority students, it is not surprising that federal policy in this area is controversial. Federal decisions greatly affect the autonomy of local school districts, educational and funding priorities, and hiring practices. For example, in the case of hiring practices, districts must decide whether teachers are selected primarily from the language-minority community or from the community at large.

Controversy about education programs for language-minority children centers primarily on goals and appropriate strategies for achieving these goals. Some have argued that programs should focus on English language instruction so that children might compete more effectively for education and employment in an English-speaking society. Others believe that English instruction is academically ineffective and discourages the preservation of native language and culture. Still others believe that existing bilingual-bicultural programs in the United States are so poorly designed or funded that they have little impact on language maintenance or cultural identity—assuming these goals to be appropriate for federal policy.[4] Federal policy, therefore, reflects a compromise between a strong social assimilation policy and one that encourages the maintenance of children's native language and culture.

This paper considers the legal background of federal policy and the relevance of research findings to public policy in this highly politicized area. Although a number of political, social, and economic factors are relevant to an evaluation of bilingual education, this paper focuses on two issues: (1) whether bilingual education programs—that is, programs which provide instruction both in the child's native language and in English—are the only way to satisfy the Supreme Court decision in *Lau* v. *Nichols*;[5] and (2) whether research findings clearly indicate that the bilingual approach—as compared, for example, with the exclusive use of intensive English language instruction—is the best way to educate language-minority children.

Legal Background

Federal involvement in bilingual education is based primarily on the Supreme Court *Lau* decision and on the 1978 Amendments to Title VII of the Elementary and Second-

[2] See Charles Harrington, "Bilingual Education in the United States: A View from 1980." *ERIC/CUE Urban Diversity Series*, No. 68 (New York: Teachers College, 1980) (ED 193408).

[3] Noel Epstein, with responses by Jose A. Cardenas and Gary Orfield, *Language, Ethnicity, and the Schools* (Washington, D.C.: Institute for Educational Leadership, 1977).

[4] See Joshua A. Fishman, "The Social Science Perspective," in *Bilingual Education: Current Perspectives/Social Science*, I, project coordinator, L. Leann Parker (Arlington, Va.: Center for Applied Linguistics, 1977).

[5] Lau v. Nichols, 414 U.S. 563 (1974).

ary Education Act (ESEA) of 1965.[6] Although other federal programs, such as ESEA Title I, allocate funds to bilingual education, the basic thrust of federal policy derives from the judicial and legislative mandates which focus specifically on bilingual education.

The *Lau* decision was based on Title VI of the Civil Rights Act of 1964, which states: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."[7]

In 1970 the Office of Civil Rights (OCR) interpreted Title VI to encompass the denial of equal educational opportunity to language-minority children. A staff memorandum stated:

> Where inability to speak and understand the English language excludes national origin-minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students.

The memorandum also noted:

> School districts must not assign national origin-minority group students to classes for the mentally retarded on the basis of criteria which essentially measure or evaluate English language skills. . . . Any ability grouping or tracking system employed by the school system to deal with the special language skill needs of national origin-minority group children must be designed to meet such language skill needs as soon as possible and must not operate as an educational dead-end or permanent track.[8]

It also required school districts to file compliance plans with the OCR. The purpose of the memorandum was to ensure that school districts develop educational programs to meet "the special language skill needs of national origin-minority group children."[9] The memorandum did not, however, specify what types of instructional programs should be implemented.

In 1974 the position set forth by the OCR memorandum was upheld by the Supreme Court in *Lau* v. *Nichols*. The Court found that Chinese-American, non-English-speaking students were denied equal educational opportunity under Title VI of the Civil Rights Act when instructed in English, a language they did not understand. The Court ordered that schools must "rectify the language deficiency," but did not specify how that should be accomplished. Indeed, the Court recognized that there were several alternatives: "Teaching English to the students of Chinese ancestry who do not speak the language is one choice. Giving instructions to this group in Chinese is another. There may be others."[10]

Regardless of the remedy chosen, however, the Court made it clear that the federal government had a responsibility to ensure that school districts receiving federal funds provided appropriate services to language-minority children. The decision quoted Senator Hubert Humphrey's statement made a decade earlier during the floor debate on the Civil Rights Act of 1964: "Simple justice requires that public funds to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination."[11]

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[6] U.S. Cong., Amendment to Title VII of the Elementary and Secondary Education Act of 1965, P.L. 95-561, 1 Nov. 1978.

[7] U.S. Cong., Title VI of the Civil Rights Acts of 1964, P.L. 88-352, 78 Stat. 252, 42 U.S.C. 2000d, 2 July 1964.

[8] J. Stanley Pottinger, "Identification of Discrimination and Denial of Services on the Basis of National Origin," Memorandum, Office of Civil Rights, U.S. Dept. of Health, Education and Welfare, 25 May 1970.

[9] Pottinger, p. 2.

[10] Lau v. Nichols, p. 2.

In 1975 a task force appointed by the then-Commissioner of Education, Terrel H. Bell, now Secretary of Education, issued a report which specified procedures for eliminating the educational deficiencies ruled in violation of Title VI of the Civil Rights Act.[12] The task force recommendations, known as the *Lau* Remedies, went well beyond a requirement that school districts develop language programs to serve non-English-speaking students; they prescribed specific guidelines about the content of these programs, and how they should be designed and implemented. The remedies stated that students should be taught in their native language—only one of the possible alternatives noted by the Supreme Court. They also proposed that students should receive instruction about their native culture, an issue not addressed by the Court.

The OCR chose to apply the remedies to school districts which were found in violation of Title VI and had twenty or more non-English-speaking students in the same language group. The remedies provided direction on a number of issues, including the identification of students' primary or home language, curriculum design, teacher selection and training, and evaluation. For example, school districts

> *must, at a minimum, determine the language most often spoken in the student's home*, regardless of the language spoken by the student, the language most often spoken by the student in the home and the language spoken by the student in the social setting (by observation).
>
> These assessments must be made by persons who can speak and understand the necessary language(s). An example of the latter would be to determine, by observation, the language used by the student to communicate with peers between classes or in informal situations. These assessments must cross-validate one another. (Example: student speaks Spanish at home and Spanish with classmates at lunch). Observers must estimate the frequency of use of each language spoken by the student in these situations.
>
> In the event that the language determinations conflict (Example: student speaks Spanish at home, but English with classmates at lunch), *an additional* method must be employed by the district to make such a determination (for example the district may wish to employ a test of language dominance as a third criterion). In other words, two of the three criteria will cross-validate or the majority of criteria will cross-validate (yield the same language).[13]

After students were identified, districts had to diagnose their needs and assess "the responsiveness of students to different types of cognitive learning styles and incentive motivational styles—e.g., competitive v. cooperative learning patterns."[14]

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[11] Lau v. Nichols, p. 6.

[12] "Task Force Findings Specifying Remedies Available for Eliminating Past Educational Practices Ruled Unlawful under *Lau* v. *Nichols*," Office for Civil Rights, U.S. Dept. of Health, Education and Welfare, Summer 1975.

[13] "Task Force Findings," pp. I-25-I-27.

[14] "Task Force Findings," p. I-27.

The *Lau* Remedies stated that elementary- or intermediate-level students must receive one or a combination of the following programs: bilingual-bicultural, multilingual-multicultural, or transitional bilingual programs. The bilingual-bicultural program is defined as "a program which utilizes the student's native language (example: Navajo) and cultural factors in instruction, maintaining and further developing all the necessary skills in the student's native language and culture while introducing, maintaining and developing all the necessary skills in the second language and culture (example: English). *The end result is a student who can function, totally, in both languages and cultures*"[15] (emphasis added). A multilingual-multicultural program follows the same principles as the bilingual-bicultural program but uses more than two languages. The transitional bilingual education program also functions similarly "except that once the student is fully functional in the second language (English), further instruction in the native language is no longer required."[16]

The *Lau* Remedies did not permit the exclusive use at elementary or intermediate grade levels of an English-as-a-Second-Language (ESL) program, which gives language-minority students specific language instruction for part of the school day and regular classroom instruction for the rest of the day. It should be noted that the failure to provide supplemental instruction in English was the basis for the *Lau* decision. The Court stated that although "about 1,000 are given supplemental courses in the English language . . . 1,800 however do not receive that instruction."[17] Nonetheless, the *Lau* Remedies concluded that "since an ESL program does not consider the affective nor cognitive development of the students in this category and the time and maturation variables are different here than for students at the secondary level, an ESL program *is not* appropriate."[18]

In 1976 OCR reminded its regional offices that the *Lau* Remedies were only guidelines and that it could not prohibit ESL instruction and require school districts to provide bilingual-bicultural instruction.[19] However, school districts not providing bilingual-bicultural instruction would have to prove that their program was equally effective. The OCR currently has compliance agreements with more than 400 school districts. Very few have received approval to use ESL instruction for the entire district.[20] At the secondary level, school districts could use any of the programs permitted at the elementary or intermediate level, as well as ESL or High Intensive Language Training—an "immersion" program designed for language-minority students in which most of the instruction is given in the second language.

Finally, the *Lau* Remedies stated that all the program design features had to be accomplished without creating "racially/ethnically identifiable" schools or classes. In other words, the bilingual programs were not to result in segregated environments.

[15] "Task Force Findings," p. I-43.
[16] "Task Force Findings," p. I-44.
[17] Lau v. Nichols, p. 1.
[18] "Task Force Findings," p. I-32.
[19] Epstein.
[20] Telephone interview with James M. Littlejohn, Chief of Legal Standards and Policy Development Branch in the Elementary and Secondary Division, Office for Civil Rights, U.S. Dept. of Education, 1 Oct. 1981.

It is not surprising that many school districts considered these detailed observational, diagnostic, and programmatic requirements of the *Lau* Remedies unworkable. As an alternative, in 1980, The Secretary of Education, Shirley A. Hufstedler, proposed regulations intended to give more easily implemented guidance to educators.[21] The proposed regulations set forth procedures for assessing English proficiency and for providing services. As in the *Lau* Remedies, the regulations required that students be taught in both languages in required subjects while simultaneously learning English. School districts believed that the proposed regulations, if implemented, would be burdensome and very costly, although some argued that the regulations were considerably less intrusive than the *Lau* Remedies.[22] There was more opposition to the proposed 1980 regulations because, unlike the *Lau* Remedies which were guidelines only, the new regulations, if adopted, would have the force of law. In any case, both the *Lau* Remedies and the 1980 proposed regulations made program design requirements that went well beyond the Supreme Court ruling. The original decision stated that a school district receiving federal funds "must take affirmative steps to rectify the language deficiency in order to open its instructional program to [language-minority] students."[23]

Shortly after his appointment by President Reagan in 1981, Secretary of Education Bell withdrew the proposed regulations issued by former secretary Hufstedler, and announced that they would be replaced by new regulations giving school districts more flexibility on how best to educate students.[24] While the new standards are being developed, the *Lau* Remedies are currently in effect. However, OCR's application of the remedies is quite different from what it was in the past. Now OCR reviews school districts' plans based on evidence that they are likely to work, rather than on their consistency with the specific educational methods described in the *Lau* Remedies.[25]

Title VII of the Elementary and Secondary Act (1978 Amendments)

The Title VII legislation, or the Bilingual Education Act, was first enacted by Congress in 1968. It was one of several major pieces of educational legislation passed by Congress during the 1960s and 1970s designed to serve students with special educational needs—students who are low-achieving, have physical or mental handicaps, come from low-income families, or have limited English proficiency. In contrast to the *Lau* Remedies, which did not provide funds for their implementation, Title VII provided discretionary grants to school districts to develop programs for language-minority students. These progam funds have increased over the years—from $7.5 million in fiscal year 1969 to $157.5 million in fiscal year 1981.

The purpose of Title VII was to fund bilingual education programs. Its educational philosophy followed a transitional bilingual-bicultural approach, encouraging the use of "bilingual educational practices, techniques, and methods."[26] In order to avoid segregated classes, Title VII permitted the participation of children whose native language is English – though their percentage could not exceed 40 percent. The Act stated: "The objective of the program shall be to assist children of limited English proficiency to improve their English language skills, and the participation of other children in the program must be for the principal purpose of contributing to the achievement of that objective."[27]

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[21] U.S. Dept. of Education, "Proposed Rules," *Federal Register*, 45, No. 152, 5 Aug. 1980.

[22] "The Deregulation That Wasn't," *Washington Post*, 19 July 1981, p. C2.

[23] Lau v. Nichols, p. 5.

[24] "Bell Withdraws Proposed Bilingual Ed. Regulations," *Education Times*, 9 Feb. 1981, pp. 1; 4.

[25] Littlejohn.

[26] U.S. Cong., Amendment to Title VII of the Elementary and Secondary Education Act of 1965, P.L. 95-561, 92 Stat. 2268, 20 U.S.C. 3222, 1 Nov. 1978.

Secretary Bell has maintained the Title VII bilingual program as a distinct categorical program, separate from the administration's educational consolidation plan. The continuing resolution budget level for fiscal year 1982 is $134.4 million – down from the 1981 appropriation of $157.5 million.

Research Findings

There is little controversy about the need to provide children of limited English proficiency with special services to enable them to participate in the regular school program or about the federal government's responsibility under the *Lau* decision to ensure that school districts provide appropriate services. There is disagreement, however, about how federal programs should be designed and the specific instructional approaches which should or should not be required.

The main point of contention is whether emphasis should be placed on English language instruction or on bilingual-bicultural education. The *Lau* Remedies and Title VII favored bilingual-bicultural education. They also suggested that ESL, when used outside of a bilingual program, either was not effective or, if it did increase English proficiency, could not help children understand their native language and culture and was therefore inadequate.

Deciding whether the goal of federal education programs should be to teach children their native language and culture or to encourage assimilation is a political and value judgment, not a research question. However, research can help to determine whether or not a bilingual-bicultural approach is the most effective way to teach children English and other academic skills. Studies have been conducted to assess the effects of various instructional models on student achievement as well as on other policy considerations such as student integration, cost and feasibility, and the extent to which needy children are served. This paper does not address other issues, some of which have evoked great controversy, for example, whether bilingual education programs will or should assist in the preservation of native languages or cultures.[28]

Student Achievement

There is an extensive international literature which compares the effectiveness of various types of educational programs for language-minority children. One of the most comprehensive overviews is presented by Christina Bratt Paulston, who concludes that "at the world level, the field of research on bilingual education is characterized by disparate findings and inconclusive results."[29] The studies compare programs where instruction is given in both the child's mother tongue and the second language, initially in the native language until the child is fully functional in the second language, and primarily in the second language. The studies evaluate the effect of the programs on language and reading skills, achievement in other subjects, such as, mathematics, science, and social studies, and general cognitive development. Paulston concludes that "a study can be found to support virtually every possible opinion."[30]

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[27] U.S. Cong., Amendment to Title VII, 92 Stat. 2270, 20 U.S.C. 3223.

[28] Fishman.

[29] Christina Bratt Paulston, "Bilingual/Bicultural Education," in *Review of Research in Education*, ed. Lee S. Shulman (Itasca, Ill.: Peacock, 1978), p. 187.

This conclusion is supported by a number of other researchers who have analyzed the results of international studies. Although these researchers, like Paulston, advocate bilingual education, they have concluded that it is not possible to select an optimum educational approach for all situations.[31] A World Bank review of selected international case studies found that "there is not one answer to the question of what language to use for primary school, but several answers, depending on the characteristics of the child, of the parents and the local community, and of the wider community."[32]

Similar inconclusive results were reported in 1978 in the American Institutes for Research (AIR) evaluation of Title VII programs for the 1975-76 academic year.[33] As of fall 1975 AIR evaluated all Title VII Spanish/English projects in either their fourth or fifth year of funding. The study compared students enrolled in Title VII projects with a control group of students not enrolled in these projects. In general, across grades, Title VII students performed slightly lower in English language arts than did non-Title VII students and at about the same level as the non-Title VII students in mathematics. Relative to national norms, Title VII Hispanic students scored at about the 20th percentile in English reading and at the 30th percentile in mathematics.

Although unusually large achievement gains were reported in certain classrooms in the AIR evaluation, these gains were found in both Title VII and non-Title VII classrooms. There was also evidence that students in some bilingual classes did not do as well as language-minority students in more traditional courses. Critics of the AIR evaluation have argued that the research unfairly estimated the potential value of transitional bilingual education: Title VII and non-Title VII students and programs may not have been comparable; students may not have participated in bilingual programs for a long enough time to determine any positive effects; and there were problems with program implementation, teacher training, and the availability of appropriate curricula.[34] Certainly, these problems existed. The achievement results of Title VII programs which were evaluated in their fourth or fifth year of operation, however, do not show that transitional bilingual education programs—as implemented by school districts—were better or appreciably worse than regular school programs.

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[30] Paulston, "Bilingual/Bicultural Education," p. 188.

[31] See Wallace E. Lambert and G. Richard Tucker, *Bilingual Education of Children* (Rowley, Mass.: Newbury House, 1972), p. 216; and G. Richard Tucker, "The Linguistic Perspective," in *Bilingual Education: Current Perspectives/Linguistics*, II (Arlington, Va.: Center for Applied Linguistics, 1977), p. 40.

[32] Nadine Dutcher, "The Use of First and Second Languages in Primary Education: Selected Case Studies." Draft report prepared for the Education Department of the World Bank, June 1981, p. 25.

[33] Malcolm N. Danoff, *Evaluation of the Impact of ESEA Title VII Spanish/English Bilingual Education Program* (Palo Alto, Calif.: American Institutes for Research, 1978).

[34] See Cardenas, "Response I," in Epstein, *Language, Ethnicity and the Schools*; Joan S. Bissell, *A Review of the Impact Study of ESEA Title VII Spanish/English Bilingual Education Programs*, Office of the Auditor General, California State Legislature, March 1979; and Center for Applied Linguistics, "Response to AIR Study 'Evaluation of the Impact of ESEA Title VII Spanish/English Bilingual Education Program.' " Arlington, Va., Memorandum, 18 April 1977.

These results are not surprising when one considers the large number of variables which affect comparisons of this type.[35] Several important societal factors—values with respect to assimilation and cultural diversity, the language of the surrounding community, and the status of language-minority groups in the country—affect the outcomes. Paulston argues that the instructional model selected is a result of these societal factors rather than the cause of children's academic achievement and that these factors are considerably more important in determining children's achievement than is the particular instructional approach used.[36]

In addition, a number of other variables affecting student achievement are difficult to control for in comparisons of different program models. Students' socioeconomic status, the length of time they have lived in this country, their general language skills, and their proficiency in various subjects clearly interact with the effects of alternative instructional models. Moreover, the models as actually implemented may be more alike than their labels imply. For instance, bilingual components are typically included in immersion programs, and almost every bilingual program uses some ESL techniques.

Finally, program characteristics generally associated with program quality, such as time on task, clear instructional objectives, strong leadership by the school principal, and well-trained teachers, clearly play a more important role in student achievement than does the initial language of instruction. As Paulston observes, "It should be reassuring to educators that children do better in good programs."[37]

These findings are consistent with results in other fields of education.[38] Few studies show one theoretical teaching technique to be clearly superior to another. Research on Follow Through, a federal demonstration program designed to compare different educational models for children in the primary grades, found more variability in outcomes from site to site for the same model than between models within sites.[39] Thus, a model's theoretical base had only a limited effect on the way the actual program was implemented in schools and on student achievement. Other studies comparing the phonics and whole-word approaches to teaching reading have had similar results.[40] All of this suggests that there is no educational basis for selecting an optimum instructional model for a country as large and diverse as the United States and that current findings do not indicate that the transitional bilingual-bicultural approach advocated by the *Lau* Remedies and Title VII is better on the average than other models. Analyses of different educational models, however, suggest that it may be possible to identify factors in certain communities which would favor one educational approach over another. For example, researchers have compared international studies which have produced apparently contradictory results — some favoring learning initial reading in the native language, others in the second language.[41] From these and similar studies, they have noted characteristics associated with students, programs, and communities which may account for the success of one or another educational approach in particular situations.

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[35] See Fishman; William Francis Mackey, "The Evaluation of Bilingual Education," in *Frontiers of Bilingual Education*, ed. Bernard Spolsky and Robert L. Cooper (Rowley, Mass.: Newbury House, 1977); Barry McLaughlin, "Language Learning in Bilingual Instruction: Literature Review," Graduate School of Education, Univ. of California, Berkeley, June 1981; Paulston, "Bilingual/Bicultural Education"; and Bernard Spolsky, "The Establishment of Language Education Policy in Multilingual Societies," in *Frontiers*.

[36] Paulston, "Bilingual/Bicultural Education."

[37] Paulston, "Bilingual/Bicultural Education," p. 190.

[38] Iris C. Rotberg, "Federal Policy Issues in Elementary and Secondary Education," in *The Federal Role in Education: New Directions for the Eighties*, ed. Robert A. Miller (Washington, D.C.: Institute for Educational Leadership, 1981).

[39] Rotberg.

[40] Rotberg.

Studies which found initial learning in the second language to be effective include the following:

> *The St. Lambert Study in Canada*[42]
> The research evaluated an immersion program for English-Canadian children who were taught exclusively in French in kindergarten and first grade, and primarily in French from grades two through four, except for one hour of English language-arts instruction each day. At the end of the fourth grade, the children read as well in English as the English control group. They also performed extremely well in French when compared with French-Canadian children in a regular French program.
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> *The Redwood City Study in California*[43]
> The research examined a bilingual program for Mexican-American children in which reading and other subjects, such as mathematics, science, and social studies, were introduced in both Spanish and English. The children were compared with a control group taught exclusively in English, sometimes with ESL instruction. Results indicated that the bilingual group scored better in Spanish language skills while the control group scored better in English language skills. Results for mathematics were mixed.
>
> *The Rizal Study in the Philippines*[44]
> Children in Tagalog-speaking areas were instructed in the local vernacular in the early grades. The grades at which English reading and English subject matter instruction were introduced varied. Results indicated that the grade at which English reading was introduced and the sequencing of vernacular and English reading made no difference in English reading achievement. However, English proficiency was directly related to the number of years English had been used as the medium of instruction. The group taught exclusively in English did best in all content areas. The average level of literacy in Tagalog was not closely related to the number of years English had been used as a medium of instruction.

Other studies favored initial learning in the native language:

> *The Chiapas Study in Mexico*[45]
> Indian children who learned to read in the vernacular and then in Spanish scored higher

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[41] See Dutcher; Christina Bratt Paulston, "Ethnic Relations and Bilingual Education: Accounting for Contradictory Data," *Working Papers in Bilingualism, No. 6* (Toronto: Ontario Institute for Studies in Education, 1975); James Cummins, "The Role of Primary Language Development in Promoting Educational Success for Language-Minority Students," in *Schooling and Language Minority Students: A Theoretical Framework*, Evaluation, Dissemination and Assessment Center, California State Univ., Los Angeles, 1981; Fishman; Lambert and Tucker; and Tucker.

[42] Lambert and Tucker.

[43] Tucker.

[44] Tucker.

[45] Dutcher.

on tests of Spanish reading comprehension after third grade than those who had been taught in Spanish only.

The Rock Point Indian School in Arizona[46]
Indian children who received bilingual instruction with English reading introduced in grade two were compared with children given ESL instruction and then taught in English for all subjects. The children in the bilingual school did better than the controls in both English reading and in mathematics.

Studies of Finnish Migrant Children in Sweden[47]
Two studies compared the effects of programs which taught only in Swedish with programs taught in both Finnish and Swedish. Finnish achievement was best for students who had some instruction in Finnish, whereas Swedish achievement was lowest for those who had no instruction in Finnish. The results of the second study also favored bilingual instruction. Children who were taught primarily in Finnish in grades one through three and in Swedish in grades four through six achieved well in both Finnish and Swedish.

Based on a review of these and similar studies, researchers have hypothesized that certain conditions may be related to the success of particular program models. Programs that teach initially in the second language may be more likely to succeed when:

- —children come from middle- or upper-class homes
- —children's linguistic development in the native language is high
- —the home language has high status in the community
- —there is a strong incentive for the children to learn a second language
- —there are positive expectations for student success
- —there is strong community and parent support for the program
- —children remain in school past the first few grades
- —program quality is high and is specifically designed for children who are learning a second language

Conversely, some observers suggest that initial learning in the native language might be more desirable, both academically and psychologically, for children who come from low-income families and who are not proficient in their native language; in communities where the home language has low status; for students likely to leave school in the early grades; and where teachers are not members of the same ethnic group as the students and may be insensitive to their values and traditions.[48]

Typically cited as evidence for these hypotheses are the Canadian immersion programs, which teach using the second language, and programs like those for Indian and for Finnish immigrant children which favor initial native-language instruction. The Canadian immersion programs are considered effective for children from high socioeconomic backgrounds, and the programs for Indian and Finnish children thought to be more appropriate for children from low socioeconomic backgrounds and with initially low levels of language development.

[46] Dutcher.
[47] Dutcher.
[48] See Dutcher, Paulston, and Tucker, fn. 41.

But the distinction is not always clear. For instance, the Canadian immersion programs were successfully replicated for low-ability children and for children from working-class families. Similarly, in the Redwood City, California study, low-income Mexican-American children, taught exclusively in English, performed better in English-language skills than children in bilingual programs. Neither finding would have been predicted from the generalizations drawn above. However, these generalizations, if not taken too literally, can be helpful to communities considering alternative educational programs for language-minority children. They certainly do not support one particular approach for the entire nation.

Even at the school district level, where information about social factors and students' special needs is available, one particular instructional approach may not be best for all students. The policy statement adopted in 1980 by the Montgomery County, Maryland, Board of Education is relevant here. The statement concludes that "there is no single instructional approach which meets the needs of all limited English proficient students."[49] It encourages a variety of programs, including ESL, modified immersion, transitional bilingual, and tutorial.

Nonacademic Outcomes

Given that research results are ambiguous, it may be useful to determine whether particular educational models produce results other than achievement, such as increased self-concept or decreased absenteeism and dropout rates, student integration, and greater economy and feasibility.

Attitudinal and Behavioral Results

Discussions about the educational benefits of different instructional approaches often refer to measures other than achievement scores—such as attitudes toward school, self-concept, retention in grade, absenteeism, and dropout rates—as important reasons for advocating bilingual-bicultural programs. Jose Cardenas, for example, noted:

> Though few studies document the success of bilingual education, there is an abundance of studies which adequately evaluate the effect of past immersion programs [that is, regular classroom programs]. In such programs, anywhere from 50 percent to 100 percent of the language minorities dropped out of school prior to the completion of the 12th grade. . . . In Texas, the result of immersion programs produced such a high level of [grade] retentions that 86 percent of all Mexican American children in that state had repeated at least one grade prior to the completion of the third grade.[50]

Cardenas also feared that such programs might adversely affect children's psychological adjustment:

> In my opinion, and not contradicted by research findings, such immersion programs, although adequate for adults and for higher grade levels, produce too much of a psycho-

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[49] Montgomery County [Maryland] Public Schools, Board of Education, "A Policy Statement on Education of Limited English Proficient Students," 21 Jan. 1980, p. 1.

[50] Cardenas, pp. 78-79.

logical trauma in young children. Placement in a language immersion program today would constitute for me a fun activity, though I can still remember the horror of this experience when I was six years old.[51]

It is one thing to note real and distressing educational problems; it is quite another to trace their cause to a particular instructional model and to introduce as a solution an alternative model such as bilingual education. Studies in attitudinal and behavioral effects encounter the same problems as research on student achievement. Not unexpectedly, societal factors appear to be more important in determining students' attitudes and adjustment than does choice of instructional approach.[52] According to Norman Segalowitz, "Many factors determine what the language chosen as medium of instruction will mean to the student—personality, home attitudes, community sentiments, political environment."[53]

Moreover, very few attitudinal studies have adequate control groups, and there are added difficulties in measuring outcomes such as students' psychological well-being.[54] No clear pattern emerges from the research. Some researchers have reported positive findings for students in bilingual programs, where others have found little difference in students' attitudes or behavior.

Paulston concluded from a survey of several American studies that "all of the researchers reported that bilingually-taught children showed self-concepts as positive as—and, more often, *more* positive than—monolingually-instructed pupils. This was true of minority group children as well as of Anglo children."[55] Paulston noted that American Indian students attending a bilingual-bicultural school in Chicago had considerably lower dropout rates than Indian students in Chicago public schools.[56] Joshua Fishman found positive results in school attendance, attitudes, and self-concept for students in bilingual programs in several studies conducted in the United States and Canada.[57]

The AIR study, however, found no difference in attitudes toward school and school-related activities between students in Title VII and non-Title VII classes.[58] Similarly, a study of a comprehensive bilingual-bicultural program for Mexican-American students in Texas, specifically designed to increase students' psychological as well as cognitive development, found no difference between experimental and comparison students on a range of measures including attitudes, self-concept, motivation, social values, absenteeism, grade retention, and dropout rates.[59] Ricardo Chapa also found no difference in self-concept between children in a bilingual program and a control group; and Wendy Oxman found that students from bilingual schools scored significantly higher on tests of alienation than did those in a limited bilingual or a nonbilingual school.[60]

[51] Cardenas, p. 79.
[52] McLaughlin, "Language Learning."
[53] Norman Segalowitz, "Psychological Perspectives on Bilingual Education," in *Frontiers*, p. 157.
[54] McLaughlin.
[55] Christina Bratt Paulston, "Research," in *Bilingual Education*, II, p. 123.
[56] McLaughlin.
[57] Fishman.
[58] Danoff.
[59] Earl Jones and Peter B. Davis, eds., *Final Summary Report on the Experimental Schools Project, Edgewood Independent School District* (San Antonio, Tex.: Development Associates, 1977).
[60] Paulston, "Research."

The important point is that in most studies the ambiguities in research design, outcome measures, and in the results themselves, do not support generalizations from the research that has been conducted. In her review of attitudinal studies, cited above, Paulston noted:

> Two important factors must be considered in evaluating these conclusions. First of all, each researcher has a particular bias which influences his research design (e.g., in terms of his choice of experimental and control groups, independent and dependent variables, testing instruments and procedures, etc.). Whether it is due to faulty research design or merely an inadvertent omission in the dissertation, important background information (e.g., children's previous educational experience, parents' education, children's degree of bilingualism and sociolinguistic factors) frequently is not included. Secondly, the authors themselves admit that the favorable results of innovative educational programs, such as bilingual ones, may be nothing more than manifestations of the "halo" or Hawthorne effect.[81]

Student Integration

The 1970 OCR memorandum previously noted specifically advised school districts to avoid programs that resulted in a "permanent track" for language-minority students. Recent work by Peter Rossi has suggested that, for some school systems, Title VII may become another segregated track for Hispanic students. Districts may prefer to place students in these programs instead of in regular classrooms.[82] The AIR Title VII evaluation reported that, although 75 percent of the students enrolled in the Title VII Spanish-English classes were Hispanic, fewer than a third of the students were there because of limited proficiency in English as judged by the classroom teacher.[83] Students appear to have been assigned to classes based on their home language or ethnic background rather than on their proficiency in English.

Some support for this hypothesis is also provided by Gary Orfield, who cites HEW statistics showing that by 1974 Hispanic children were more likely to attend predominantly minority schools than were blacks.[84] Although segregation of blacks has declined significantly during the 1970s, segregation of Hispanics has been increasing.[85] In a study of federal programs, Jackie Kimbrough and Paul Hill also found that segregation was particularly pronounced in schools with large enrollments of Hispanic children.[86] Although the causal relationship between bilingual programs and Hispanic segregation has not yet been fully researched, the 1978 Title VII Amendments recognized a potential problem: "In order to prevent the segregation of children on the basis of national origin in programs assisted under this title, and in order to broaden the understanding of children about languages and cultural heritages other than their own, a program of bilingual instruction may include the participation of children whose language is English, but in no event shall the percentage of such children exceed 40 per centum."[67]

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[81] Paulston, "Research," p. 125.

[82] Peter H. Rossi, "Comments on Title VII Evaluation," Memorandum, Social and Demographic Research Institute, Univ. of Massachusetts, Amherst, 10 April 1979.

[83] Danoff.

[84] Orfield, "Response II," in Epstein, *Language, Ethnicity and the Schools*.

[85] Orfield.

[86] Jackie Kimbrough and Paul T. Hill, *The Aggregate Effects of Federal Education Programs* (Santa Monica, Calif.: The Rand Corp., 1981).

Advocates for bilingual-bicultural education, however, say that bilingual programs have been more successful than traditional approaches for language-minority students. They refer to historical patterns of discrimination and harassment against language-minority children in which children received little or no help in the regular school program, were punished for speaking Spanish, or were assigned to classes for the mentally retarded. They believe that a trend away from bilingual education to ESL would simply revive these old patterns. Cardenas put it this way: "Perhaps Hispanic minorities are so overwhelmingly in favor of bilingual education regardless of lack of evidence of its success because the experiences with past programs have been so negative that any alternative is a step in the right direction. If, as documented by the Texas Education Agency, the dropout rate of Mexican American children in a South Texas school system is 90 percent, the parents cannot be blamed for strongly recommending an untested alternative."[68] Further, he suggested that certain school districts have highly segregated bilingual education programs because the districts themselves are highly segregated.

Nonetheless, the objectives of bilingual education and school desegregation may be inconsistent in certain circumstances; in many school districts Spanish-speaking students must choose between segregated bilingual education or integration without bilingual education.[69] From a legal point of view, there currently is no clear Supreme Court statement on what approaches are permissible, and federal courts have handed down inconsistent decisions.[70] Clearly, further research is needed to assess the effects of different types of programs for language-minority children on student integration and to identify programmatic options for educating language-minority children in desegregated settings.

Cost and Feasibility

Bilingual programs have practical implications for school districts beyond their effects on student achievement, attitudes, and integration. The *Lau* Remedies, like many other federal and state requirements, must be financed from local revenues rather than from categorical federal or state funds. The combination of requirements unsupported by funding, decreased local fiscal capacity, and decreased federal funds often creates financial difficulties for school districts.[71]

In addition to fiscal considerations, there are practical problems in selecting and training teachers and designing appropriate curricula.[72] Districts with multiple language groups have more problems. The *Lau* Remedies require that districts with twenty or more students of the same language group provide bilingual-bicultural programs for each group. This means that the district must establish separate programs, hire and train bilingual staff in each language, and integrate the students' curriculum with the regular school program. Chicago, for example, must provide instruction not only in Spanish but in seventeen languages, including Assyrian, Gujarti, Indic, and Serbo-Croatian.[73] The difficulty of staffing these programs is illustrated by a study conducted in New Mexico in 1976.[74] A random sample of 136 bilingual education teachers and aides, many of whom had done university work in bilingual education, was tested on a standard third grade curriculum from Mexico. Only 13 of the 136 teachers could read and write Spanish at the third grade level.

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[67] U.S. Cong., Amendment to Title VII, 92 Stat. 2270, 20 U.S.C. 3223.

[68] Cardenas, p. 79.

[69] Betsy Levin, Salvador Casteneda, and Mary von Euler, "Legal Issues Related to School Desegregation and the Educational Concerns of the Hispanic Community," in *Desegregation and Education Concerns of the Hispanic Community*, Conference Report (Washington, D.C.: National Institute of Education, 1977).

[70] Levin, Casteneda, and von Euler.

[71] Rotberg.

[72] Spolsky.

Moreover, school districts face difficult problems in establishing criteria for selecting and retaining students in programs. Existing tests of language proficiency are of questionable value and reliability,[75] and the detailed observational criteria described in the *Lau* Remedies are generally considered unworkable.

There is at present no nationally representative information which describes the cost and practical implications of implementing different types of programs for language-minority children, although there are studies of selected programs. The AIR Title VII classrooms, for example, received an average of $376 more per student when compared to classrooms in the control groups.[76] However, this figure reflects the comparison between students in bilingual and regular programs and does not indicate the comparative costs of different types of special services for language-minority children. A recently completed study of six school districts conducted by the Rand Corporation estimated that the added cost of special programs for language-minority children ranged from $200 to $700 per student.[77] These estimates include instructional, administrative, and staff development costs. The added costs depend on average teacher salary, the extent to which "pull-out" programs are used, and the extent to which aides are added to bilingual, self-contained classrooms. The study found no clear relationship between instructional methods – ESL or bilingual instruction – and cost.

Implications for Federal Policy and Research

The preceding review of legal and research issues has rather direct implications for federal policy. It points to several important findings indicating: that there is no requirement under the *Lau* decision, nor is there research evidence, to support a federal requirement that school districts use a particular instructional approach; that the federal government does have a clear responsibility under the *Lau* decision to ensure that language-minority children receive some type of assistance to enable them to participate in the regular school program; and that nationally representative research is needed on the experience of different kinds of programs for language-minority children to provide a resource base for Congress, for those who draft regulations, for state and local administrators, and for teachers to assist in the decision-making process.

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[73] "The Deregulation That Wasn't," *Washington Post*.

[74] Epstein.

[75] Ellen J. Rosansky, "A Review of the Bilingual Syntax Measure," in *Papers in Applied Linguistics – Advances in Language Testing Series: 1*, ed. Bernard Spolsky (Arlington, Va.: Center for Applied Linguistics, 1979).

[76] Danoff.

[77] Polly Carpenter-Huffman and Marta Samulon, "Case Studies of Delivery and Cost of Bilingual Education," Monograph (Santa Monica, Calif.: The Rand Corp., 1981).

Flexibility in the Choice of Instructional Approach

This review has shown that an analysis of federal policy as represented by the *Lau* Remedies and Title VII program shows a strong preference for bilingual-bicultural programs over alternative approaches which rely primarily on English language instruction. In the case of the *Lau* Remedies, this policy considerably extends the 1970 OCR memorandum and the 1974 Supreme Court decision on which the remedies are based. Neither OCR nor the Supreme Court specified the instructional remedy.

Reviews of research findings comparing the effects of alternative instructional approaches on student achievement have shown that bilingual programs are neither better nor worse than other instructional methods. Similarly, the few studies which have examined other implications of the approach used – such as effects on student integration, costs, or student attitudes toward school – do not provide clear evidence to support one model over another.

There is, therefore, no legal necessity or research basis for the federal government to advocate or require a specific educational approach. Moreover, past research on a range of federal education programs has suggested that regardless of the merits of a particular approach, it is not productive for the federal government to intervene in local decisions about instructional models.[78] The evidence comes from a number of studies. For example, Arthur Wise's research has shown that federal attempts to require specific instructional approaches do not result in positive programmatic changes but simply increase the complexity of running an educational system.[79] The National Institute of Education study of compensatory education concluded: "Although local districts have many pressures to use funds more generally than the funds allocation regulations allow, they have little incentive to deliver inferior or ineffective services. Moreover, even if LEAs follow the procedures established in the program development regulations, there is no guarantee that they will produce high-quality services."[80] Similarly, the NIE Vocational Education study found that the complex planning requirements did "not significantly influence local program decisions."[81] Finally the Rand Corporation's change agent study and the education voucher study in Alum Rock, California indicated a wide gap between federal expectations and local education programs as actually carried out.[82]

In general, there is little evidence that program regulations have had a significant impact on the quality of instruction at the local level. Further, federal involvement in local planning or instructional methods may detract from more appropriate federal objectives of ensuring that intended beneficiaries receive supplemental educational services. It may also weaken the political support of even carefully designed programs.[83]

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[78] Rotberg.

[79] Arthur E. Wise, *Legislated Learning: The Bureaucratization of the American Classroom* (Berkeley: Univ. of California Press, 1979).

[80] Paul Hill and Iris Rotberg, eds., *Administration of Compensatory Education*. Report of the NIE Compensatory Education Study (Washington, D.C.: National Institute of Education, 1977), p. 14.

[81] Henry David and Gerry Hendrickson, eds., *The Vocational Education Study: The Final Report*. Report of the NIE Vocational Education Study (Washington, D.C.: National Institute of Education, 1981), p. xxxiii.

[82] Paul Berman, Peter W. Greenwood, Milbrey Wallin McLaughlin, and John Pincus, *Federal Programs Supporting Educational Change*. V, Executive Summary (Santa Monica, Calif.: The Rand Corp., 1975); Eleanor Farrar, John E. DeSanctis, and David K. Cohen, "The Lawn Party: The Evolution of Federal Programs in Local Settings," *Phi Delta Kappan*, 62, 1980, 167-171.

Provision of Appropriate Services

Although the Supreme Court's *Lau* decision did not require a specific instructional approach, the federal government does have a responsibility under that decision to ensure that school districts provide appropriate services for language-minority children. However, emphasis on specific program requirements may have detracted from this basic objective. There has been extended debate about the relative merits of ESL versus bilingual-bicultural approaches and about the perceived federal intrusion into local school policy. However, the essential requirement of the *Lau* decision that language-minority children receive some type of special assistance to enable them to participate in the regular school program has received considerably less attention.

We know from experience with other education programs that the federal government can ensure that specific population groups receive services without extensive directives on how subject matter is taught.[84] However, we need a clear delineation of the federal role in particular educational matters, specific regulations to implement federal objectives, and careful management. Collecting data in connection with compliance agreements with school districts is not enough; we need systematic research information which describes how the needs of language-minority children are served in the context of the *Lau* decision.

Research Issues

In addition to providing data on the extent to which language-minority children are currently being served, such research should examine the effects of alternative federal policies. Currently, we do not know the implications of allowing school districts more flexibility in the way they serve limited-English-speaking students because we do not know what school districts in fact are now doing or who is being served. We do not know what changes in programs, staffing patterns, or fiscal constraints would result from less federal intervention in program design. Nor do we know how demographic and political factors in different communities would affect those changes. The actions at the local level are also affected by court decisions and state laws limiting freedom of action which might otherwise result from more relaxed federal standards. Moreover, the unavailability of research data makes it difficult for state and local authorities to identify their options and to use this information to implement appropriate programs. Much can be done to remedy these problems by describing the experiences of other school districts in a logical and comprehensive manner.

An analysis of previous evaluations of major education programs suggests certain research strategies that are likely to produce information useful to policymakers.[85] Although this paper is not designed to describe in detail the characteristics and methodology of a well-designed piece of policy research, it is useful to set out the basic parameters of such a study. In particular; evaluations of large programs should include a broad range of interrelated studies on all aspects of the program (resource distribution, program management, and educational services) as well as on student outcomes; specify how the program operates in practice and how it might change if alternatives were adopted; conduct studies that are designed to meet the needs of the intended audiences and describe how the results might be interpreted for use in educational practice and policy formulation; and present the implications of various policy alternatives, rather than making recommendations based on political and value judgments.

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[83] Rotberg.

[84] Rotberg.

[85] Sue E. Berryman and Thomas K. Glennan, Jr., "An Improved Strategy for Evaluating Federal Programs in Education," in *Educational Evaluation in the Public Policy Setting*, ed. John Pincus (Santa Monica, Calif.: The Rand Corp., 1980); and Paul T. Hill, "Evaluating Education Programs for Federal Policymakers: Lessons from the NIE Compensatory Education Study," in *Educational Evaluation*, ed. John Pincus.

Although numerous individual studies of bilingual education have been conducted and some have produced useful information, there has not been a comprehensive evaluation of the type suggested here. Existing studies (such as the AIR Title VII evaluation[86] and an evaluation of the classroom component of the Title VII programs, currently being conducted by the Department of Education[87]) focus on Title VII programs and do not provide a national overview of the services received from all funding sources by language-minority children. Generally, descriptive information has not been available for most federal programs. For example, in 1974, almost ten years after Title I was initiated, the NIE evaluation of the program found no systematic information about who was served and what services were provided.[88] The information subsequently collected was essential to an understanding of the Title I program and recommendations for possible improvements.

There is a need for national studies of school districts describing the actual operation of bilingual programs and how they can be improved. Future research areas might include:

- —the extent to which language-minority children are served—characteristics of children receiving services, criteria used to place children in programs, percentage of eligible children served
- —the characteristics of services provided—type of instructional approaches used, instructional time in native language and in English, time spent on various subjects, grouping practices
- —the language skills and training of teachers
- —the distribution of resources to target populations
- —the expected consequences of alternative federal policies, such as giving school districts more flexibility in instructional approaches
- —the effects on student achievement of well-implemented programs, and the characteristics of programs that are effective for particular students and communities
- —the effects on outcomes not directly related to student achievement, such as integration, cost, and feasibility

[86] Danoff.

[87] Rene F. Cardenas and Elizabeth C. Proper, *Evaluation of the Classroom Instruction Component of the ESEA Title VII Bilingual Education Program*. Study in progress by Development Associates, Arlington Va. and Abt Associates, Cambridge, Mass.

[88] Paul Hill and Iris Rotberg, eds., *Compensatory Education Services*. Report of the NIE Compensatory Education Study (Washington, D.C.: National Institute of Education, 1977).

- the description of effective programs for language-minority children in integrated settings
- the identification of exemplary foreign-language instructional techniques in the United States and other countries, both in elementary and secondary schools and in selected foreign-language institutes and universities

These studies would assist legislators, administrators, and teachers in decision making. Congress and state legislators would have descriptions of current programs as they consider future legislation for funding bilingual education programs. The executive branch would have data on the extent to which language-minority children are served, in order to assist in developing procedures for implementing the *Lau* decision. And, most important, research findings would be available to state and local educators about instructional alternatives and their implications for student achievement, integration, and program costs. This type of information will be essential to any reexamination of bilingual education policy during the next decade.

Senator STAFFORD. Thank you all very much indeed, and the meeting stands adjourned.

[Whereupon, at 11:35 a.m., the subcommittee was adjourned.]

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